

WHAT WAS THE POLITICAL DIFFERENCE MADE BY THE INTRODUCTION OF EXECUTIVE MAYORS IN ENGLAND?

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ABSTRACT

The creation of eleven directly elected mayors in England between 2002 and 2005, as part of the Labour Government's wider local government reform, altered local governance in those localities. The 1998 White Paper *Modern Local Government* identified three key weaknesses in the previous local government system: a lack of leadership, legitimacy and accountability. The main question the thesis sought to answer was: what was the political difference made by the introduction of executive mayors in England.? The key issue in this study was to assess if executive mayors have improved the efficiency, the transparency or the accountability of local government

The investigation of the executive mayoral option employed an analytical framework to measure change on three dimensions of efficiency, transparency and accountability. To aid the investigation seven hypotheses were constructed from the government's White Papers to explore various aspects of executive mayors and assist in providing generalisable conclusions about the introduction of directly elected mayors. Leadership and representation theories were used to operationalise the concepts of leadership, legitimacy and accountability. Models were developed which mapped the locus of power in the council's political space. Given the population of executive mayors was eleven local authorities for the period of the field research, a qualitative approach was adopted relying primarily on interviews augmented with documentary sources and observations. Election results were also analysed using conventional quantitative methods.

With regard to elections, the study demonstrates that voters differentiate the office of executive mayor from other political posts. Other findings in this study indicate that one of the main political differences made by the introduction of executive mayors is the creation of a new balance between politicians and officials with the former being more dominant when determining policy matters while the senior officials taking the lead in administration and management. In addition, executive mayors have developed a better capability to challenge professional officers. The strength of executive mayors as leaders within their local authorities over the policy making process demonstrates a change from the operation of the previous system in England. The key person driving policy is now is the directly, clearly identifiable and more accountable executive mayor.

This research has shown that directly elected mayors have made positive political differences which can be measured against the core goals of effective, transparent and accountable local government. Executive mayors demonstrate a continuity of governance in local government and have made a difference in the way local councils are run.

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In particular, I would like to thank all the respondents who gave so freely of their time in agreeing to be interviewed and in providing such rich data from their answers. The variety of experiences they described cannot be given comprehensive treatment in a single work and it is to be hoped that others will continue to examine and explore the phenomenon of directly elected mayors in English local government.

I would like to pay special tribute to my wife, Dr Casmir Chanda, and my mother Mrs Carol Campbell for their support in this work.

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GLOSSARY OF TERMS

AV	Alternative Vote
Bains Report	The New Local Authorities: Management Structures Report 1972
CCA	Conservative Councillors' Association
Cllr	councillor
DB	Double Ballot
DoE	Department of the Environment
DCLG	Department for Communities and Local Government
DETR	Department of the Environment, Transport and the Regions
DTLR	Department of Transport, Local Government and the Regions
GLA 1999	Greater London Authority Act 1999
GLA	Greater London Authority
LB	London Borough
LC	Llull-Condorcet Electoral System
LDA	London Development Agency
LGA 1972	Local Government Act 1972
LGA 2000	Local Government Act 2000
LGC	Local Government Committee of a local or Borough Labour Party
LGPIH 2007	Local Government and Public Involvement in Health Act 2007
Maud Committee	Maud, J (1967), Committee on the Management of Local Government, vol 1. London: HMSO
MPA	Metropolitan Police Authority
NDC	New Deal for Communities
NEC	National Executive Committee of the Labour Party
ODPM	Office of the Deputy Prime Minister
Redcliffe-Maud Commission	Redcliffe-Maud, J (1969), <i>Royal Commission on Local Government in England</i> , London: HMSO Cmnd

SMP	Single Member Plurality
SV	Supplementary Vote
US	United States of America

Widdicombe Report:

Widdicombe, David (1986), *The Conduct of Local Authority Business: Report of the Committee of Inquiry into the Conduct of Local Authority Business*, London: HMSO Cmnd 9797

CHAPTER ONE: INTRODUCTION

Background

'...and I hereby declare that the above individual has been duly elected to serve as executive mayor.'

With this short statement seven returning officers in Doncaster, Hartlepool, Lewisham, Middlesbrough, Newham, North Tyneside and Watford, made an historic announcement on Friday 3 May 2002 that their voters had chosen one of the first directly elected mayors for an English local authority. The announcement of the winners also gave cause for concern to the Labour Party, which had been the dominant or leading party in all these authorities, but which won just three of the mayoral contests. Although there is evidence of mayors being chosen by all citizens in the Middle Ages (Keith-Lucas 1952:140), the 2002 elections marked the start of a new course in English local government, which if the initial pattern of results were repeated, would involve a radical local political realignment. Yet, by 2009 only 12 councils had adopted one of the two directly elected mayoral options set out in legislation and in June 2009, the unique mayor-council manager in Stoke-on-Trent City Council was abolished.

The introduction of directly elected mayors was one of the most controversial aspects of the Local Government Act 2000. What sparked such controversy can only be understood by examining the challenge that this new model of government posed to existing patterns of political behaviour and leadership. To expose that challenge the question that will be addressed in this thesis is: what are the political differences that have occurred as a result of the introduction of directly elected executive mayors into English local government?

The idea of introducing directly elected executive mayors took legislative form when the Labour Government elected in 1997 embarked upon a wide programme of local government reforms that became known as “modernisations” (Newman 2001:40, 58, 76, Stewart 2003:1-2). The case for reform was set out by the Government in the Green Paper: *Modernising Local Government: Local Democracy* (DETR 1998b:5-6) and the subsequent White Paper: *Modern Local Government: In Touch with the People* (DETR 1998g:8-11), which is examined in detail later in the chapter. The criticism put forward by the government has been boiled down here to three deficits in local democracy and political leadership, which is that local government lacked:

- clear leadership – as evidenced by the low visibility of council leaders and,
- legitimacy – as evidenced by low turnout in elections, and
- accountability – as evidenced by the opacity of its decision making processes (Blair 1998,11-12, DETR 1998g:9-11).

What is significant is that the final reforms enacted after 1997 are the product of several decades of debate about the nature of local government, which produced a journey from collective, committee based decision-making to a form of individual executive leadership and decision-making (Maud 1967:41, Widdicombe 1985:92, DETR 1998g:21 and 23, DETR 1999:14,16, s11 LGA 2000). The narrative of this process will be considered in detail in chapter two since the process was not straightforward and had to endure two changes of Prime Minister and one change of party controlling central government, before it become a viable policy option.

The introduction of directly elected executive mayors was one of the government's solutions to what it assessed as being the ills of English local government. The difference such mayors were to make was not so much in what mayors themselves could do or achieve, but more by the way of acting as an antidote to the problems that the government saw as present within local political leadership and decision-making (*Local Leadership, Local Choice* DETR 1999:21). Local political leaders and

local political decision-making more generally, was presented as being anonymous, slow to act and unresponsive to local needs. Executive mayors would change this by having prominent individuals set the council's overall strategy and act as the supreme, possibly the sole, decision maker and hence be a key locus of power. The individual would also be the council or area's representative in other parts of the governance matrix and whether acting as an ambassador or a reticulist. the executive mayor would be exercising power, though probably indirectly, through influence and relationships. Evidence will be sought of English mayors following their US counterparts in overcoming the limitations of their formal power, as noted in Stone's study of Atlanta (1989:231).

One objective was that the mayor would be clearly identifiable as the local leader. Being directly elected by all the residents of the local authority, through the Supplementary Vote system, executive mayors would enjoy greater legitimacy than indirectly elected council leaders. Moreover, the executive mayor's election by all voters would ensure that the English institution was significantly different from some European countries where the executive mayor is usually the head of a winning party list as in the case of Italy (Baldini 2002:367) or France where the councillors are usually bound to vote for a pre-determined mayoral candidate (Kerrouche 2005:153). Lastly, since they were also likely to be the most visible decision-maker, executive mayors would provide greater accountability, especially in light of their method of election.

There emerged from government thinking about elected mayors, which is examined in detail in chapter two, a set of expectations about the difference they might bring to the local political landscape. Exploring the realities of those expectations and the realities of the differences that elected mayors have made reflects the assertions made of the need for greater leadership in local government rather than managerial

reforms or the reliance on management consultations (Elcock 2000: 15-18). It also emphasises the governing role of the local political leader and the need for clear electoral legitimacy (*op. cit.*:24-25). Stoker (2006:3) notes that politics is essential for a functioning democratic polity, which would encompass directly elected mayors.

In order to assess the contribution of elected mayors – both in theory and practice – to the governance of the English localities, section two of the chapter outlines the aspects which are examined in detail throughout the thesis and highlights the ‘political differences’ that could be found as a result of the introduction of elected mayors into a locality. Evidence will be sought of how executive mayors might provide a visible, identifiable and accountable “face” for the local authority, which would contrast with the anonymity associated with indirectly elected council leaders. In addition to this, the section will outline the tensions between elected mayors, their cabinets, non-executive councillors and senior council officers about the locus of power and whether this has changed by introducing the new system. The section will also explore the extent the impact of being directly elected has on the role of the mayor and whether the post is that of leadership, as implied in the Government White Paper (DETR 1998g:21), or whether it is also that of a representative.

In section three the scope of the thesis will be defined and the methodology employed will be set out. The section will show how qualitative methods, such as interview and documentary analysis augmented with quantitative data where relevant, such as election results, will be employed. From these explanations, section four will develop the core hypotheses to be tested to illustrate the means by which the thesis will parse the core question into manageable units for analysis (Geddes 2003:45). Finally, section five will outline the structure of the thesis. The next section will set out briefly some of the key differences that might arise from the introduction of a directly elected mayor into a locality and define the aspects that will

be explored in detail in subsequent chapters.

Executive Mayors: Diversity in Sparsity

Before executive mayors could exercise any power or influence in the locality, they first had to be elected and it is in these results that the first significant finding can be observed, namely was the previously dominant local political party still successful? Considering the previous system, Johnston *et al* (2002:1304-1305) noted that the election of councillors by “thirds”¹ acted as a brake on the majority party losing power. Yet, in Bedford, Hartlepool, North Tyneside and Watford the first mayoral elections provided the voters with an opportunity -duly taken - to remove an incumbent party. Here the mayoralty was won by candidates who departed from the traditional pattern either by representing new, local political parties (Bedford 2002, 2007), by independents (Hartlepool 2002, 2005, Stoke-on-Trent 2002), or by political parties that had been in opposition (Conservatives in North Tyneside 2002, 2003, Liberal Democrats in Watford 2002 and 2006). Change was not limited to those councils electing by thirds with independent mayoral candidates winning in Mansfield (2002) and Middlesbrough (2002, 2007) along with a new local party candidate winning in Mansfield in 2007.

The data show that in over half of all the mayoral elections held between 2002 and 2009 the result was not a mere reflection of the usual pattern of either council or general election outcomes. Therefore, the electoral system and how the campaigns were conducted and the political parties' attitudes towards the office of executive mayor will be investigated to determine if these divergent outcomes are in fact an indicator of popular acceptance of the new role and a recognition that it is different to other political posts and from this to answer part of the core question: what political

1 A council elected by thirds will have local elections three years out of every four. In some cases the fourth year is used for mayoral elections, but not in all instances.

differences can be attributed to the introduction of the directly elected executive mayor?

In addition to the mayoral victor, consideration will be given to the impact on the balance of the political parties on the councils concerned, a balance which is important as the executive mayor can only draw his or her cabinet appointees from the ranks of councillors (s.11 LGA 2000). Since at least one third of the councillors have to approve the mayor's budget and corporate plan, or if two thirds of the councillors vote in agreement even impose a budget on the mayor, the political balance on the council is important. Here it was observed that a number of formerly Labour Party dominated councils have changed completely with the Conservatives taking a majority in North Tyneside and the Liberal Democrats in Watford, while Labour Mayors in Doncaster and Lewisham faced council chambers in which their political party no longer enjoyed a majority. Further consideration will be given to these developments as the decline of the Labour Party in local government must also be set in the context of unpopularity of the Labour government in office at that time. Change of political power, therefore, can not simply be attributed to the mayoral model, although it may well have accelerated the change.

Furthermore, since the thesis is investigating the political difference made by the introduction of executive mayors in England, it is crucial to understand who was being elected given that candidates might be members of existing dominant political parties, independents, or from parties that had not previously held any kind of office. It is necessary, therefore, to inquire into the impact of the the novel Supplementary Vote (SV) system that had only been employed once before in the UK, in May 2000, for the election of the Mayor of London². It will be noted that in three cases SV produced different outcomes than what the more widely used single member plurality

² The Mayor of London heads the Greater London Authority, a strategic body outside the scope of the thesis.

system would have achieved. Not only were these results different to the outcome that a traditional single member plurality system as used for MPs and some councillors would have produced, in nearly 60% of the elections there were more unused or spoilt second preference votes than the victor's majority. Hence the operation of the electoral system, particularly its requirement that electors accurately assess which candidates are going to come first and second on first preference votes, could have an undue impact in shaping who wins, rather than acting as a neutral system for translating electors' preferences. Given that one of the key functions of an election is to produce a victor whose legitimacy is accepted by those who did not vote for them and those who did (Blais and Gélneau 2007:427), such a degree of uncertainty requires more detailed analysis. As part of this study, consideration will be given to how this electoral system for elected mayors was chosen in the first place and what it was expected to achieve.

While executive mayors may be understood as leaders both of the council and the locality, their direct election and role as the voice of an area also means they would be exercising a representative role. Rao and Young (1999:60) provided an early indication of this possible effect as their survey noted that 59% believed that an executive mayor would speak for the whole area. The ability of the local authority leader to speak on behalf of a wider audience was noted by the Lyons Inquiry:

'...it is also the sole body in the locality which has a responsibility for stewardship of that place, and accountability to all the citizens in the area and a responsibility to enhance their well-being.' (Lyons 2007:56)

One of the changes we might expect to see is an opinion amongst the local political *elite* that the mayor was acknowledged as personal embodiment of the location and interview data was used to discover whether or not this was the case. That executive mayors have brought a focus to “place” also highlights one of the problems of English local councils, which, lacking any constitutional protection, can be renamed or

reshaped at the will of central government. For example, in 2009 Bedford Borough Council ceased being a second tier authority with more limited functions and budgets and was changed by central government into a unitary authority (SI 2008/907). There was no referendum of local people to determine if this was desired, contrary to the popular vote necessary to create the executive mayoralty. Given the constitutional fragility of English councils the question of what or whom it is that mayors represent and what the purpose of local representation is, will be addressed in chapter four as the setting in which a representative represents has to be clearly understood before differences made can be assessed.

Having a direct mandate to lead the council granted to the mayor by the voters, rather than by the majority party group, an exploration of how executive mayors were exercising their role within the council, would illuminate political differences the office was making. Evidence of an impact would be observed if, in all the mayoral authorities, a shift in the balance of power between the executive mayor and the chief executive, between the executive mayor, the chief officers and the non-executive councillors on each council occurred. Such a finding would be underpinned if non-executive councillors reported finding themselves more isolated from where they perceived the locus of power to be. Moreover, if such perceptions of distance from power are the case, then a question is raised about the efficacy of call-in – the power to challenge a decision and force the decision-maker to review it before it can be implemented – as an appropriate “check and balance” on the executive mayor.

An exploration will also be conducted of how councillors have been able to act in a concerted manner to secure a change in a mayor's budget (North Tyneside 2002-4, Lewisham 2008/2009) or to use the constitution to constrain the mayor's powers (Bedford denies the mayor the role of principal spokesman) or even to record votes of no confidence in the executive mayor himself (Doncaster 2006). These instances

indicate that the relationship between the executive mayor and the councillors is not straightforward hence the need for a detailed comparative analysis of the eleven mayoral authorities to measure any differences more accurately. The question here is about the balance of power between mayor and council and the effect of constitutional checks and balances on the mayor's authority to act.

The shift to mayoral government was intended to introduce to local government a high-profile and powerful local leader (Blair 1998:10 , DETR 1998g:19, 1999:6-7). The amount of power transferred was so great that a core fear of opponents of mayoral government was that the new political system would concentrate too much power in one person's hands, since the mayor would be the sole, or the main, decision-maker (Clarke *et al* 1996:30). Yet, a later study by Rao and Young (1999:60) found that nearly as many people believed that a elected mayor would concentrate too much power in one person as thought that the mayor would be more accountable: 45% – 46%.

What these two studies display is the fear of the existing *elite* losing power to the new mayors and an intrigue amongst the public about what mayors might do. Given the diverse range of potential candidates and mayoral victors we could reasonably expect to see a diverse range of ways in which executive mayors would interpret their role within each local authority. Given that both Conservative (Heseltine) and Labour (Blair) politicians had highlighted this strong decision-making role, it could be expected that the previous collective, committee-based, public decision-taking model condemned in the White Paper (DETR 1998g:10) would be replaced by something different. In other words, we could expect to see a shift from collective decision-making in committee to a continuum of individualistic, consensual, collegiate decision-making, depending on the individual mayor. That there should be such variations prompts a greater consideration of the formal rules, the constitution, under

which councils operate as well as an examination of the informal rules and contexts that appear to guide each local authority in adopting their approaches to mayoral government. It is also important to note the personal choices of each of the executive mayors to determine how much of the local decision-making process they were able to shape to their own will, rather than having determined for them by the local context. An executive mayor might choose to adopt a collegiate process even if the law and the council's constitution permit otherwise.

If power is displayed through decision-making and prompting action – or causing inaction – then how mayors make decisions becomes an obvious focus for attention. Two types of decision-making settings were considered so as to provoke a comparison between normal and exceptional circumstances. Firstly, to see if mayors acted differently in different circumstances and secondly to understand how the normal political process operated when set against more unusual circumstances. Yet, if the executive mayor was not always taking the mantle of the sole identifiable decision-maker and leader of the local authority in these meetings, it was possible that the individual would take on a more prominent role in a time of crisis, especially as Mayors Giuliani (New York) and Nagin (New Orleans) provided contrasting examples of how US mayors were perceived to have handled extreme situations – a terrorist attack in the former and a natural disaster in the latter.

Examples of how the two US mayors and their English counterparts coped in crises are considered in chapter six. In the English examples the key problem considered was how local governments formal rules and structures would provide a role for the executive mayor or what the mayor's function might be in a crisis (Loughlin 1996:369-379, Civil Contingencies Act 2004). For example, would executive mayors assume a quasi-ministerial role almost as acting chief executives? Alternatively, would executive mayors have a similar public relations role that might be expected of an

indirectly elected council leader? Examining the council's emergency plans and reviewing actions as reported in the media, especially during the severe floods of 2007, allows for a more thorough consideration of the degree of power that executive mayors could exercise and how crisis response balanced the needs of leadership and management. If executive mayors were denied a significant role during a crisis then there would be a contradiction both of the government's assertion of the importance of leadership (DETR 1998g:2) as well as any ideal type model of how mayors might operate.

Nevertheless, that so few English councils adopted the executive mayoral system compels a return to the questions: what was this innovative political office meant to achieve and was there a fatal flaw in the way this change was delivered that ensured its lack of uptake and undermine its chance of achieving what it was set up to achieve? Initially, the evidence indicated that the idea might have popular and political support. As will be seen in detail in chapter two the mayoral idea had backers, albeit with different agendas, in the two major British political parties and it had support from academics and interest groups, for example Stoker and Wolman (1991:19-26) and the Commission for Local Democracy (1995:27). It even had support from the general public with 75% of respondents preferring the leading local council politician to be chosen by the public rather than councillors (DTLR2001a:16). By 2009, however, of the 10 cities and boroughs studied in detail by the government as a possible site for mayoral government, only Middlesbrough had adopted the executive mayoral system (DTLRa2001:11). Indeed, on the 37 occasions when residents have been presented with the opportunity of voting in a referendum on whether or not to have an elected mayor, the majority of people and local authorities have said no. A total of 25 councils and 594,008 electors have rejected the mayoral idea while only 12 councils and 517,006 electors have endorsed the proposal, with one of those (Stoke-on-Trent) subsequently abandoning its unique mayor-council

manager model in 2009 (see Appendix B). The failure of so many referendums will be investigated further in chapter two where Table 3 (p50) will offer a comparison of the key powers allocated to executive mayors and their indirectly elected council leader alternatives.

Nevertheless, political interest in the mayoral idea has persisted. In 2009 the Conservative Party, perhaps inspired by its victory in the 2008 London mayoral election, included a proposal to offer executive mayors to 12 of England's largest cities (Conservative Party 2009:21). The Labour Government continued to make references to elected mayors and in the *Communities in Control* White Paper proposed lowering the threshold necessary to call a referendum as a means of encouraging greater take up (DCLG 2008:93). Therefore, what is important is that the executive mayoral model remains accepted as a policy option rather than being widely adopted.

Selection of the Sample

The thesis focuses only on the 2000 Act mayors, excluding the sole example of the mayor and council manager system which existed in Stoke-on-Trent until 2009. The Mayor of London has also been excluded from the thesis since the GLA is 'A *strategic authority, not responsible for the provision of services*' (Arden Chambers (firm) 2000:p.v). It is the unique nature in English local government of the mayoralty of London and the GLA that makes it necessary to exclude it from consideration as it is a substantially different type of mayoralty than the 2000 Act mayors, as illustrated in Table 1 (p13). A second major variance between London and the rest, is in the nature of political decision-making itself. Executive mayors are entitled to appoint a cabinet of between two and nine councillors (s.11 LGA 2000) whereas the Mayor of London had just an advisory cabinet to whom no decision-making powers could be

delegated. The Greater London Authority Act states clearly:

'(1) Any function transferred to, or conferred or imposed on, the Authority by or under this Act or any other Act (whenever passed) shall, in accordance with the provisions of this Act, be exercisable—
(a) only by the Mayor acting on behalf of the Authority;
(b) only by the Assembly so acting; or
(c) only by the Mayor and Assembly jointly so acting. ' (S.35 GLA 1999).

Whereas for the executive mayors the legislation says:

'(2) The elected mayor—
(a) may discharge any of those functions, or
(b) may arrange for the discharge of any of those functions—
(i) by the executive,
(ii) by another member of the executive,
(iii) by a committee of the executive, or
(iv) by an officer of the authority.' (s.14 LGA 2000)

Table 1 (p13) summarises the some of variations between the elected executive mayors and London's strategic mayor. Based on these differences, the research excludes the Mayor of London so as to produce a picture of the difference made by the 2000 Act mayors, which is the mayoral model open to the rest of England.

Mayor of London/ Greater London Authority	Executive Mayors
not able to appoint a cabinet	allowed to appoint a cabinet of two to ten councillors
core function is to draft strategies	core role is to deliver services
sets the budget for the police, fire and transport authorities	collects the precept for these bodies
limited staff disbursing a large budget £9bn gross	large staff, (excluding school), proportionately smaller budgets
small assembly 25 members, elected in a mixture of large single member constituencies (14) and London wide using a modified d'Hondt seat allocation method	councillors elected in single or multi member wards by plurality only.

Table 1: Differences between executive mayors and the Mayor of London.
Sources: LGA 1972, GLA 1999, LGA 2000

Within the twelve remaining directly elected mayors there was a further question about whether Stoke-on-Trent fell within the bounds of the inquiry. As Stoke-on-Trent was England's only example of a council manager-elected mayor any findings from studying this example would not be generalisable, although they would have offered great insight into local government in a single local authority. There were significant differences, however, because while the other 11 executive mayoral authorities allowed the mayor to appoint a cabinet, in Stoke-on-Trent the cabinet was limited to just two members:

'(4) It may consist of—

(a) an elected mayor of the authority, and

(b) an officer of the authority (referred to in this Part as the council manager) appointed to the executive by the authority.

Such an executive is referred to in this Part as a mayor and council manager executive. ' (s11 LGA 2000)

Furthermore, there was a concern from the 2005 election onwards about whether the system would persist and a referendum was held in which the residents voted to abolish the system in 2009.³ Therefore, in order to secure a better focus on the core data, it proved necessary also to omit Stoke-on-Trent from the interview schedule and from most of the research. Since Stoke-on-Trent used the same electoral system, supplementary vote, the election results were included in the analysis of the impact executive mayors have made at the ballot box. The thesis concentrates on executive mayors in the authorities listed in Table 2 (p15), which also displays some of the most immediately obvious changes in political control that are considered in more detail in chapter five.

³ http://www.bbc.co.uk/stoke/content/articles/2008/07/10/governance_debate_08_feature.shtml

Local Authority	Political Party in control before the first election ⁴	First mayor elected (2002/2005)	Latest mayor elected (2006-2009)	Political Party in control (May 2009)
Bedford Borough Council ⁵	No overall control (largest group: Labour)	Frank Branston (Better Bedford Independents)	David Hodgson (Liberal Democrat ⁶)	No overall control (largest group: Liberal Democrat)
Doncaster Metropolitan Borough Council	Labour	Martin Winter (Labour)	Peter Davies (English Democrats)	No overall control (largest group: Labour)
Hartlepool Borough Council	No overall control (largest party: Labour)	Stuart Drummond (Independent)	Stuart Drummond (Independent)	No overall control (largest party: Labour)
London Borough of Hackney	No overall control (largest group: Labour)	Jules Pipe (Labour)	Jules Pipe (Labour)	Labour
London Borough of Lewisham	Labour	Steve Bullock (Labour)	Steve Bullock (Labour)	No overall control (largest group: Labour)
Mansfield District Council	Labour	Frank Egginton (Independent)	Mansfield Independent Forum	Mansfield Independent Forum
Middlesbrough Council	Labour	Ray Mallon (Independent)	Ray Mallon (Independent)	Labour
London Borough of Newham	Labour	Robin Wales (Labour)	Robin Wales (Labour)	Labour
North Tyneside Council	Labour	Chris Morgan (Conservative)	Linda Arkley (Conservative) ⁷	Conservative
Torbay Council	Liberal Democrats	Nick Bye (Conservative)	Nick Bye (Conservative)	Conservative
Watford Borough Council	No overall control	Dorothy Thornhill (Liberal Democrat)	Dorothy Thornhill (Liberal Democrat)	Liberal Democrats

Table 2: List of executive mayoral authorities and political control, 2001-2009

Sources:

news.bbc.co.uk/1/shared/bsp/hi/elections/local_council/08/html/region_99999.stm

news.bbc.co.uk/1/shared/bsp/hi/elections/local_council/09/html/region_99999.stm

4 Most elections were in May or October 2002, Torbay held its first on October 2005, <http://www.torbay.gov.uk/index/council/electedmayor.htm>

5 On 1 April 2009 Bedford BC became a unitary authority

6 http://www.bedford.gov.uk/council_and_democracy/elections/mayoral_election_results_2009.aspx By-election 15 October 2009

7 Linda Arkley was first elected in a by-election in 2003, lost the mayoralty in 2005 and regained it in 2009.

Methodology and Research Strategy

To research the political differences made by the introduction of directly elected executive mayors, the thesis has followed a predominantly qualitative approach using the case study methodology⁸. Case studies are an accepted form of empirical analysis that have been defined as:

'... an empirical inquiry that:

investigates a contemporary phenomenon within its real life context when

- the boundaries between the phenomenon and context are not clearly evident; and in which*
- multiple sources of evidence are used.'* Yin (1994:23)

A case study has also been described by Gerring (2004:342) as *'an intensive study of a single unit for the purpose of understanding a larger class of similar units.'* Instead of focusing on just a single mayoral authority, chapters eight and nine will conduct a more detailed investigation of two councils and then use data from the remaining nine to augment the findings obtained from the first two. Rich data were obtained from a number of sources, particularly interviews with executive mayors, key local authority officers and a number of other politicians where available. Observations of some cabinet and full council meetings were undertaken and documentary evidence from the local authorities was examined in depth, particularly cabinet minutes and reports, constitutions and other governance documents (Burnham *et al* 2004:165-189).

To use the case study approach effectively, it is necessary to answer the key question (Ragin and Becker 1992:1-16, Collier 1995:465): *'of what is this a case?'* Since the thesis is concerned with the political difference made by the introduction of

⁸ As set out in May 1993:91-109, Robson 1993:159,227-266, Christians 2000:133-143, Denizen and Lincoln 2000:24, Fontana and Frey 2000:645-668, Bryman 2004:8, 266

directly elected executive mayors, each study is a case of executive mayors in action. Indeed, the role of mayors in particular and leaders in general as individuals who generate action or activity has been noted by Burns (1978:20) and developed by Stone (1995:108-109). It was noticeable from the government's White Papers that "leadership" was a central theme (Hartley and Allison 2005:35) with 32 references to it in the 1998 White Paper (DETR1998g:*passim*), a further 27 in the 1999 White Paper, including the title (DETR 1999:*passim*) and 49 in 2001, again, including the title (DTLR 2001b:*passim*). Hence studying political change will benefit from employing literature on local political leadership as a starting point to emphasise the importance of office holders as principals delivering action. Examples of political leadership studies include Dahl's (1961) research in New Haven, Stone's (1989) work on Atlanta, Leach and Wilson's (2000) and Elcock's (2001:166-186) reviews of local government leadership and Mouritzen and Svava's (2002) comparative study of local councils. Leadership, rather than the leaders was chosen as the focus of study, since as Elcock (2001:17) has noted that the leaders themselves come from such diverse backgrounds and follow different career paths before taking office that they should be regarded as *sui generis*. The evidence of each mayor was corroborated, where possible by interviews with the key personnel around them, especially the chief executive, or equivalent.

As well as using qualitative analysis, there are opportunities to use quantitative methods to augment these findings as part of a strategy of triangulation (Read and Marsh 2002:240), in particular to allow comparison of the findings from this research with other, relevant investigations. The government commissioned its own evaluation of the changes resulting from the introduction of new executive structures. A number of studies were undertaken using quantitative methods measuring the impact of the style of government on the overall measure of each council's performance, the Comprehensive Performance Assessment (Stoker *et al* 2004:22:, Stoker *et al*

2007:54 Gains *et al* 2008:653-654). One of the challenges for comparative analysis, however, is that the population of executive mayors is regarded as being too small to provide reliable statistical inferences (King *et al* 1994:24, Geddes 2003:215, John 2005:5). Hence an approach known as Qualitative Comparative Analysis (QCA)⁹ is employed, which measures change in dichotomous variables and employs Boolean logic to produce results that enable the researcher to assess, with a degree of reliability, the statistical significance of any findings (Freundreis 1983:265, Dion 1998:135, Ragin 2000:112-114). Ragin (1987:vii) describes how he sought out QCA in as an alternative to multivariate statistical techniques for investigating small-n data sets. Therefore, QCA will be employed to allow for a comparative analysis of the different mayoral authorities, their constitutional powers and their Comprehensive Performance Assessment ratings.

Additionally, given that one of the distinct qualities of executive mayors was their election by the voters of an area and not just indirectly by councillors, it was possible to conduct a quantitative analysis of the election results. Here there will be opportunities to compare executive mayoral elections with council elections and, owing to the large population of the latter; these findings will also be subject to appropriate tests for statistical significance. Having adopted a methodology, the research question can now be broken down into a series of hypotheses to allow for more detailed consideration.

9 The QCA methodology was applied to a study of regime systems in US local government (Kilburn 2004:633-651)

Exploring the Leadership, Legitimacy and Accountability Deficits

In section one (p2) three deficits were identified as sitting at the heart of the Government's analysis of local government political decision-making: a lack of high-profile, visible leadership; a lack of political legitimacy; and a lack of accountability. In addition to these deficits, the government set its own goals as being to ensure that local government, including mayoral authorities, was effective, transparent and accountable (DETR 1999:6). Logically therefore, if executive mayors are a remedy, to assess problems of local government, then the political difference made by this new office should be redressing some of these deficits.

In chapters three and four leadership and representation theories are considered in order to derive an appropriate analytical framework that can measure political change in these three deficits. From these theories the thesis will explore how the executive mayors are operating and addressing the three deficits. The desire to raise the legitimacy of local government through executive mayors will be considered in detail in chapter five, where the electoral system including the responses of the political parties to the new office will be examined. Leadership and accountability are examined in chapters six and seven through the operation of decision-making and the role of the constitution and through the case studies in chapters eight and nine. How executive mayors interpret their roles as representatives will also be examined as part of both the electoral analysis and the investigation of how decision-making is operationalised. By this comparative method using the three dimensions of leadership, legitimacy and accountability, it will be possible to determine the political differences that are, or are not being made by executive mayors.

While the thesis relies primarily on a qualitative methodology, the measurement of political difference is facilitated by the use of hypotheses that develop the three deficits and allow for a more detailed comparative analysis (Landman 2000:6-10). Breaking down the over-arching research question allows the degree of change resulting from the introduction of executive mayors in reducing the three deficits of leadership, legitimacy and accountability to be considered in greater detail (Geddes 2003:45). Given the use of both qualitative and quantitative data in the research, the hypotheses will be tested in chapters five, six and seven where the data most relevant to them is presented. The first set of data examined in chapter five relates to the conduct of the election campaigns and the operation of the electoral system. In chapter six there is a specific hypothesis relating to the allocation of powers to executive mayors within the constitution. The thesis will examine the hypotheses listed below, all of which contribute to developing an understanding of the political difference made by the introduction of executive mayors.

H1 Supplementary Vote (SV) enabled more Labour Party candidates to win than SMP

H1_{null} SV produced outcomes that are no different to Single Member Plurality

H2 Executive mayors will receive proportionately more votes than councillors from electors at the polls and so increase their legitimacy.

H2_{null} Executive mayors will receive the same, or proportionately fewer votes than councillors from electors and so have no more, or less, legitimacy than councillors.

H3 Winning control of the mayoralty by a political party will deliver an improvement in the number of councillors where that party is not also the party in power at Westminster.

H3_{null} Winning the mayoralty has no impact on the number of councillors in that authority area.

Hypotheses H1 and H2 address the legitimacy deficit since a biased electoral system or one where executive mayors are not receiving widespread support from electors calls into doubt any positive difference being made. Equally, these hypotheses, particularly H2, could produce confirmation that executive mayors are overcoming the legitimacy deficit. Since there are still local councillors and mayors may belong to the same party as the majority of them, hypothesis H3 extends the investigation of legitimacy to see if there has been a political change in the balance of councillors on each mayoral authority.

H4 Executive mayors with two or more of the three powers (solo decision making, choosing cabinet members and allocating portfolios) will be shown by the Comprehensive Performance Assessment to be “improving well”.

H4_{null} Executive mayors with only one power will not be shown by the Comprehensive Performance Assessment as “improving well.”

H5 Executive mayors will have the lead role in leading the council's response to an emergency.

H5_{null} The leadership of a mayoral authority during an emergency will be carried out by council officers, not the elected mayor.

Hypothesis H4 uses as a starting point the three powers adopted by the government sponsored ELGNCE evaluation of the impact of the Local Government Act 2000 reforms – the power to make solo decisions, appoint cabinet members and assign portfolios (Stoker *et al* 2002:4, 2007:15). Employing such variables in the thesis allows for these findings to be compared more easily with wider research. In testing

this hypothesis the use of QCA will permit more attention to be focused on whether different combinations of the three powers have an impact on government. To explore how these powers might be used in an extreme situation, hypothesis H5 examines the extent to which the executive mayor has additional freedom to act in a crisis.

H6: Mayoral cabinets will deliver accountable local government with clearly identifiable individuals making decisions.

H6_{null}: Mayoral cabinets will not deliver accountable local government and will not have clearly identifiable individuals making decisions.

H7: The conduct of the mayoral cabinet will be different from pre-Local Government Act 2000 committee meetings, with lead members taking a prominent role in speaking to reports and issues being decided in a more open fashion.

H7_{null}: Mayoral cabinets will not have members presenting reports or deciding issues more openly.

Hypotheses H6 to H7 assist the examination of each mayoral authority in a consistent manner to facilitate comparative analysis and so address the question of the political difference being made in terms of the leadership roles being adopted and how executive mayors are held to account.

Chapter Five, which considers the elections, will investigate hypotheses H1, H2 and H3 while chapter six, which studies the application of the constitution in routine times along with moments of crisis will test hypotheses H4 and H5. The remaining two hypotheses H6 and H7 will be explored in chapter seven as part of the analysis of decision-making at formal cabinet meetings.

Structure of the Thesis

To answer the core question of the political difference made by executive mayors, the thesis will use the government's three deficits as a starting point and the hypotheses that were derived from them. Chapter two commences by establishing the chronological context in which the executive mayoral concept finally emerged onto the statute books and into English local government practice. Establishing this context will assist in creating the framework to understand the government's objectives from introducing elected mayors. Appreciating why the change was not introduced earlier will also help develop an understanding of why only a small number of councils subsequently adopted the mayoral form. In particular, the chapter will consider how executive mayors were part of the political and academic debate in the UK for a decade before being incorporated into legislation. A key element of this outline will be to elaborate the seven hypotheses outlined above and demonstrate how they act as an analytical framework to measure political difference. Having done this, the existing literature is explored and discussed so as to establish the theoretical basis for analysing the political difference executive mayors have made. To do this two core bodies of research on political leadership and representation need to be examined.

Chapter three will review leadership theories, which are significant since they incorporate a range of studies of UK and US local political leaders and provide a number of comparative typologies that may be adapted for the present study. Given that the thesis is identifying and measuring change, the multi-layered continuum model developed by Svava (1990:20) plotting the interaction between the executive mayor and the chief executive as a dichotomous contested space provides a useful analytical tool. In order to account for the interaction of the non-executive councillors

as well, this model will be expanded to represent the political decision-making “space” within the council in a triangular form in which the changes brought about by the executive mayoral system can be plotted for each mayoral council.

Chapter four will explore representation theories since the electoral system and the accountability of executive mayors to those voters had to be considered as a possible explanatory factor of any political changes that executive mayors may have made. There is also an expectation that executive mayors will represent their locality and, therefore, will be acting beyond the scope of leaders of the council as leaders of a “place”. Representational theories will also be crucial in evaluating the supplementary vote electoral system since it will enable a wider discussion of who ought to be elected, a debate that was not part of the Parliamentary scrutiny of the Local Government Act 2000.

Following the literature review, the electoral mechanism will be the first attribute to be considered in detail in chapter five. Having reviewed the different electoral systems that might have been adopted, the chapter will investigate the election results in detail to determine whether there was a systemic bias in favour of a single political party and to evaluate if executive mayors were securing electors' engagement to a degree that councillors were not. The analysis will explore whether the supplementary vote system is enhancing a victor's legitimacy and also providing an effective mechanism for holding them to account.

Since executive mayors were elected to govern, chapters six and seven investigate various aspects of how the mayoral idea of government in the councils studied was developed and delivered. One of the distinctive elements of the 2000 legislation was the requirement that every council should adopt a constitution (s37 LGA 2000), a document that was meant to:

'...provide an important means of enabling citizens and stakeholders to understand how the council makes decisions and who is responsible for those decisions. (DETR 2001:6)

Chapter six employs Qualitative Comparative Analysis to offer some insight on whether the executive structure has a causal impact on the council's performance as measured by the Audit Commission. As part of understanding how executive mayors were acting in the governance roles, the chapter also investigates executive mayors' roles in a crisis. Given that the effective government was a criterion behind the mayoral idea (DETR 1998g:8), how executive mayors were able to respond in a crisis situation will assist in providing evidence of whether executive mayors are making a political difference through exercising different forms of leadership. Analysis will be aided by comparing mayoral government in a crisis with its operation during routine decision. Comparative data from the US provides additional insight into the twin roles of leadership and accountability as operationalised in the UK mayoral model.

Having considered decision-making during a crisis, chapter seven will investigate the routine decision-making undertaken by mayoral authorities through regular cabinet meetings. If executive mayors are to be accountable, these meetings should be facilitating this process and hence be illustrating a political difference from having the new office of executive mayor. These meetings, which are open to the public¹⁰, provide an opportunity to test if the mayoral system is providing more open, transparent local government that the previous committee system was alleged not to provide (DETR 1998g:11). It was of particular interest to note the variations between the authorities in how the cabinets made their decisions and the implications this has for understanding mayoral decision-making.

¹⁰ There is a provision under 1972 LGA for individual agenda items to be dealt with in private session but these items are restricted to matters dealing with contracts under negotiation or when privacy must be respected.

Chapters eight and nine contain the case studies, which may illustrate political differences. In order to derive the maximum amount of explanation from the case studies two contrasting authorities were selected utilising the “Most Dissimilar Systems Design” (Przeworski and Teune 1982:34). The London Borough of Hackney presented itself as a good choice for a number of reasons. Its history as a troubled local authority with political, financial, and administrative turmoil (1996-2002) would make it a good test case for the notion of an executive mayor as a change agent as implied by the government (DETR 1998g:18). A second factor was the researcher's knowledge of the borough having been involved in one general election and nineteen council by-elections in the council area in over 13 years (1992-2007). Here we can explore in detail the political difference made by an executive mayor introduced into a council with a weak political and administrative record. The second authority chosen for an in-depth analysis was Middlesbrough since it was held to be an example of a “good” council as indicated by its CPA score thereby making it opposite to Hackney. Moreover, whereas Hackney had experienced a period of a council with no one political party having a majority, Middlesbrough had retained the same political control, the Labour group, with a majority both before and after the change to the mayoral system. The political difference made by an executive mayor when introduced in a council with a relatively stable political and administrative background can be explored in detail in this case.

Chapter ten will bring together the evidence presented and the conclusions that can be inferred from the data. While the mayoral system had not been widely adopted by June 2009, its persistence as a public policy option within the two major parties is noteworthy. The diverse experiences observed make the phenomenon of great interest still. There are also opportunities to develop the research to augment wider studies of changes in local government since 2000. On 3 May 2002 when the returning officers uttered the words: “...and I hereby declare that the above individual

has been duly elected to serve as executive mayor “, they were ushering in a system of government that, while not wide-spread, is still firmly on the policy agenda. The thesis will explain why that is the case and make clear what was the historical and political context in which executive mayors came to be introduced into UK legislation, and that is the task that will be undertaken in chapter two.

CHAPTER TWO: THE SLOW EMERGENCE OF THE EXECUTIVE MAYORAL IDEA IN ENGLAND

Introduction

The Labour government made a bold legislative change in the Local Government Act 2000 by introducing the option of a directly elected executive mayor, although the role of the mayor as the local authority's political leader is not new. Even before the reform of urban boroughs in 1835, it was usual in the Nineteenth Century for the indirectly elected mayor to be the local political leader (Regan 1980:19) and such an individual '*...often had substantial executive powers to determine policies and ensure their implementation.*' (Chandler 2007:13). The significance of the indirectly elected mayor as the political leader remained in the Twentieth Century, as Mayor Pipe observed when referring to the photographs of past mayors in Hackney's council offices:

'...Herbert Morrison, who was chair of the Greater London Labour Party and was parachuted in as an alderman and made mayor to sort Hackney out. And, you go along further until people like Sir Lou Sherman, who was responsible for creating the London Lea Valley Park ...' (Mayor Pipe, interview data).

Yet, by the late Twentieth Century the leading political figure in English local authorities was the majority political party group leader (Copus 2006:23), with the indirectly elected mayor having a more limited role as the chair of the full council meeting, possibly not even attending party group meetings, as well as more extensive duties as the authority's civic representative (Hillier 1999:17). Nevertheless, the idea

of a single, powerful, visible, directly elected executive decision maker in local government as an alternative was a concept that managed to persist both in political and academic circles, albeit peripheral to core public policy.

That executive mayors persisted as a possible policy option can be explained by two theoretical models. Firstly, the “garbage can” theory developed by Cohen, March and Olsen (1972:2) would assert that in this instance both central and local government, had ‘...*solutions looking for issues to which they might be the answer...*’. Given that executive mayors have not, by 2009, been widely adopted, a key test will be whether the form of government is still deemed to be a valid option by politicians or the community. If it is, it remains in “the garbage can”, in Cohen *et al*’s (1972:2) phrase, waiting to be used. A second theory that may be in operation is that of path dependency, which may account for the dominance of the indirectly elected leader model that is the norm in English local authorities while also explaining the resilience of the executive mayoral model (Pierson 2000:20). In a path dependency model, change is incremental rather than revolutionary, as was the case with switching to executive mayors, and the time-scale over which change occurs is also significant since decisions taken some distance in time from an event are still capable of influencing the outcome. Under this theory, executive mayors face considerable institutional and policy based inertia.

Since understanding the chronology can provide insight into the problems executive mayors were meant to address and the political difference they were expected to bring about, the chapter’s first section will consider the evolution of the executive mayoral concept in its British context from the mid 1960s onwards. It is accepted that this date is arbitrary, nevertheless, the publication of the Committee on the Management of Local Government’s report (Maud 1967) does provide a baseline as well as a clear advocacy of moving from the principle of all councillors being equal to

the concept of a small executive as primary decision-making body. Moreover, Fenwick *et al* (2003:33) assert that the Local Government Act 2000 was in many respects the enactment of this committee's findings. In reviewing the 1980s and early 1990s, the section will note how the executive-mayoral idea found key advocates in government (Michael Heseltine), in the academic world (Gerry Stoker) and in the lobbying community (Simon Jenkins/Commission for Local Democracy). The latter two individuals, Stoker and Jenkins, are significant since their ability to influence the Labour Party, especially the under the leadership of Tony Blair after 1994, helped to ensure that directly elected executive mayors became a viable policy option.

The second section of the chapter will show how the Labour Government elected in 1997 identified executive mayors as a solution to an internal Labour Party problem, namely that of ensuring that local councils did not embarrass or undermine the Labour government. Having seized upon this concept, the impact of the failure of the rest of central government to follow through with the policy and the reluctance of Ministers to use their reserve powers to compel councils to hold referendums offering residents an executive mayor, will be considered. Reference will be made to a few of the "local democracy commissions" established by local authorities consisting of academic, community and other non-political representatives. It will be noted how in a number of cases, supported by surveys or postal referendums, these commissions recommended an executive mayoral model, only for the councillors to choose the indirectly elected leader-cabinet system. To commence, the investigation will consider the desire to move away from committee-based local government that emerged in the 1960s.

The First Challenges to Collective Decision-Making: 1967 -1991

Since the early Nineteenth Century the full council meeting had acted as the council's collective decision-making body, even though many of those decisions were the ratification of policy determined in committees (Regan 1980:12, Stewart 2000:43-45). Nevertheless, there were a number of proposals to change this system emerged. The Maud Committee, began a journey away from such inclusive collective decision-making by advocating a move towards a small political executive recommending that:

'...local authorities establish a managing body, to be called "the management board", composed of from five to nine members of the council... Emphasis be placed on the collective responsibility of the management board for what they decide as a majority and not on the individual responsibility of a member...' (Maud 1967:41).

While appearing to mark a radical shift in emphasis, the creation of such a powerful policy committee was in some respects a reflection of the empirical practice of senior councillors already acting as a *de facto* cabinet (Elcock 2001:175). Accompanying a widespread reorganisation of local government following the 1972 *Local Government Act* (LGA 1972), the Bains Report modified this concept by advocating a strong central committee, a policy and resources committee, but its remit was to assess and inform rather than to determine. As the Report stated:

'In order to take those decisions the Council needs comprehensive and coordinated advice on the implications for the community and we believe that this function requires the creation of a central policy committee. Such a committee will aid the Council in setting its objectives and priorities...' (Bains 1972:23).

While the Maud and Bains reports stressed the concentration of power, one of the Maud Committee's members, Sir Andrew Wheatley, submitted a Note of Dissent stating what was to become a core theme of opponents to executive mayors:

'In my view these proposals will vest far too much power in the small number of members who will be members of the management board, and will deprive the great majority of the council of the opportunity of participating effectively in

the formulation of policy and the development of services which are the responsibility of local government.' (Maud 1967:154)

By 1986 Wheatley's views had found support in the Widdicombe Committee's Report, which asserted the equality of all councillors as decision makers by recommending that:

'the council is a corporate body...decisions are taken openly by, or on behalf of, the whole council, without any separate source of executive authority' (Widdicombe 1986:77)

The Conservative government at that time retained collective decision-making and it was only in academic and lobbying circles that the idea of an executive mayor was retained and promoted.

One example of this came in Regan's (1980:19) inaugural professorial lecture in which he developed the views of John Stuart Mill (1991:272) and argued for the creation of a single executive political leader, albeit one who was indirectly elected by other councillors rather than directly elected by the voters. Regan also pre-empted later criticisms of local government by identifying the accountability deficit in local government that arose from the lack of a readily identifiable council leader stating: *'What it does mean is that political leadership will not often be visible. And leadership which is not visible cannot be publicly accountable'* (Regan 1980:20).

Shortly after Regan's lecture, there were a number of riots in UK cities prompting the Secretary of State for the Environment, Michael Heseltine to place more attention on the governance of England's urban areas (Heseltine 1987:139). Later Heseltine was to describe this period vividly by using the phrase *'It took a riot'* as a chapter title in his autobiography (Heseltine 2000:222). In assessing the problem, one conclusion Heseltine reached was that the major cities lacked leadership and for him the executive mayoral model offered a means of providing large councils with that

direction, however his patronage of such a reform ended with his resignation from the Cabinet in 1986.¹¹

It was not until Heseltine's return as Secretary of State for the Environment in 1990 following another set of riots, this time against the Community Charge system of financing local government (Butler *et al* 1994:151), that this desire was articulated in a government White Paper *The Internal Management of Local Authorities in England* (DoE 1991:13). There is, however, some uncertainty about the genesis of the idea for while it is closely associated with Heseltine, Leach (1992:2) stated that civil servants were investigating the possibility of introducing executive mayors in early 1990. Since this was before Heseltine's appointment, it implies that alternatives to the prevailing committee system were already being contemplated. The interest in executive mayors was located primarily in central government as a review of the Conservative Party archives, particularly of the internal monthly political discussion documents *Talking Politics*, did not reveal any examples of discussions about how the political management of local councils should be changed.¹²

After the Conservative government was re-elected in 1992 a second consultation paper was published repeating the option of directly elected mayors as a form of local government, although the idea was not developed into legislation (DoE 1993:38). Opposition to the idea of directly elected mayors came from two sources first, Conservative MPs were concerned that another directly elected high-profile politician in the locality would overshadow them and this might be detrimental to the notion of parliamentary supremacy itself (Hambleton 1998:41, 2000:933). Indeed, Heseltine had written '*Parliament cannot be equated with local government. Democratic*

¹¹ http://news.bbc.co.uk/1/hi/uk_politics/727824.stm

¹² Not all the documentation in the archive was made available because of a 30 year embargo on private papers to safeguard individuals who were still engaged in active politics.

accountability lies in Parliament, from which all the authority exercised at local level is derived.' (Heseltine 1987:131). Such a belief renders local government a mere agent to Whitehall's will. Second, Conservative councillors opposed the initiative and although they were a diminishing body in the early 1990s, they were still a significant force within the constituency associations on whom MPs relied for re-election, since councillors were often seen as the leading campaigners and also held officer posts on branch, ward and association management committees. Moreover, as the leading local party activists, councillors were often in a position to lobby the local Conservative MP, where there was one¹³.

The antipathy towards executive mayors was shared by councillors in other parties and in response to a parliamentary question in 1996, the then local government minister, David Curry, informed the House of Commons that not one single council had responded favourably to the proposal (Gay and Wood 1998:21). With the transfer of Heseltine, the leading proponent of executive mayor's to other ministerial duties, the idea was never progressed by the Conservative government (Wilson and Game 2002:350) and it was left to the Labour Party as well as academics to pursue the concept.

A number of sources outside the government retained an interest in the executive mayoral system even when it appeared to have ceased to be a policy priority for the Conservative government, particularly the journalist Simon Jenkins and the academic Gerry Stoker. These individuals, along with other supporters, coalesced around a significant body that promoted the mayoral concept, the Commission for Local Democracy (CLD). The CLD was described as being independent, but its members and donors included trades' unions and Labour Council group leaders. Jenkins became the Commission's second chair while Stoker was one of the contributors to

¹³ From 1993 to 2001 I was a constituency agent for the Conservative Party and this statement is based on personal observation in four different constituency associations.

its reports. One of the political members was Cllr Steve Bullock, who was the leader of Lewisham Council and had stated his support for mayors in the *Local Government Chronicle* (22-03-1991), several years before the CLD commenced its deliberations (Bullock 2002:131). Under Simon Jenkins, the CLD commissioned a number of academics to research different aspects of the local government system and its first recommendation was unequivocally in favour of the mayoral model: '*Local authorities should consist of a directly elected Council and a directly elected Leader/Mayor*' (CLD 1995:54, Pratchett and Wilson 1996:250). Underpinning this recommendation was a principle that the Executive and the Assembly functions of a local council should be separated, however, there was no mention of the Executive, called a Mayor in town and cities, being supported by a cabinet drawn from councillors (CLD 1995:18). Two other innovations would accompany this: firstly, the executive mayor would be elected by a system of Alternative Vote and secondly, be limited to two full terms in office (CLD: *ibid*).

Over a similar time period a number of works sought to promote the different models of executive mayors from Europe and the Pacific as well as North America, namely Stoker and Wolman (1991,2) *A Different Way of Doing Business: The Example of the U.S. Mayor* and *Drawing lessons from U.S. Experience: An elected mayor for British local government* and Clarke *et al's* (1996) *Executive Mayors for Britain? New forms of political leadership reviewed*. One common finding of these approaches was a warning against simply adopting another country's mayoral systems for example, the US-style executive mayors or mayor-council managers, with a recognition of the need to develop a mayoral model that was rooted in the British experience (Stoker and Wolman 1992:242,265, Elcock 1995:563, Clarke *et al* 1996:49). In these works Stoker started to establish a reputation as a leading supporter of executive mayors. These studies do not appear to have received funding to be pursued in depth, hence both Game (2002a:408) and Stewart (2003:73) noted that there was an absence of a

strong academic base to underpin the reform agenda that the Labour Government introduced after the 1997 elections.

Perhaps the most important advocate of change, despite his lack of local government experience, was the leader of the Labour Party, Tony Blair. Although Blair was not known to have had any great interest in local government, it is asserted that he seized upon directly elected executive mayors as a means of exerting control over the “loony left” Labour councillors whose extreme antics were held to be accountable for the Party's general election defeats in the 1980s and early 1990s (Wilson and Game 2002:74)¹⁴. The enthusiasm from some in the Labour Party for executive mayors was boosted by the presence of US political consultants and advisers who were assisting the Labour Party at that time (Rallings *et al* 2002:69). The internal political management needs of the Labour Party were obfuscated in part by being presented as part of a wider agenda of constitutional reform (Hodge *et al* 1997:1, Gray and Jenkins 2000:33) though initially this reform appeared to be offered as an option only for London and the other major cities (Hibbs 1996:¹⁵, Labour Party 1997:¹⁶). Instead of calling openly for the removal of those Labour councillors perceived as being “the loony Left”, Blair and his colleagues stressed the need for “modernisation” (Hambleton and Sweeting 2004:476). Such an indirect approach was necessary because by the 1997 general election the Labour Party was the largest party by far in UK local government in terms of seats held and councils controlled, hence undermining the argument that councillors were an electoral liability for national elections (Rallings and Thrasher 1997:128). Those councillors would also have disputed the “loony Left” label.

14 Professor George Jones repeated this assertion at a PSA-Local Government Specialist committee Conference, University of Birmingham, 30 January 2009, linking Blair's conversion to a meeting with Simon Jenkins in 1996/1997.

15 <http://www.telegraph.co.uk/htmlContent.jhtml?html=/archive/1996/04/18/nbla18.html>

16 <http://www.labour-party.org.uk/manifestos/1997/1997-labour-manifesto.shtml>

While executive mayors were part of the Labour Party's 1997 manifesto agenda, other politicians had attempted to advance the concept, for example Lord Hunt's private members' Bill would have provided a legal framework for some councils to explore new executive options outside the committee system. It was suggested that this Bill had been drafted with support from the Labour Party itself (Gray and Wood 1998:22). Unlike the later Local Government Act 2000, Lord Hunt did not seek to restrict councils to just one of three models. The proposal was not enacted, however, and one council - Hammersmith and Fulham - that attempted to adopt an executive mayoral pilot scheme under the 1972 LGA, did not pursue the option under LGA 2000 (Wilson and Game 2002:107).

Executive Mayors as a Solution: 1997-2009

Between 1997 and 2001, local government affairs remained part of one ministry, Department of the Environment, Transport and the Regions (DETR), headed by the Deputy Prime Minister, John Prescott. His ministerial team included Hilary Armstrong, who had been a shadow minister prior to the election as well as serving on the Plant Commission, the Labour Party's own inquiry into voting systems (Plant 1993:52, Leach and Game 2006:45). One noticeable omission from this department was Margaret Hodge who had written about the need for executive mayors and as well serving as a council leader before becoming an MP¹⁷. Not only was there a unified team in charge of local government, but Prime Minister Blair retained his recently found desire to reform local government and so mitigate the perceived threat to the Labour government from Labour-run councils. As he stated in his 1998 pamphlet *Leading the Way: 'If you are unwilling or unable to work to the modern agenda then the government will have to look to other partners to take on your role'* (Blair 1998:22). The implication was that councils might have responsibilities,

¹⁷ Hodge and Thompson (1994) *Beyond the Town Hall - Re-inventing local government* and Hodge et al (1997) *More than the flower show: elected mayors and democracy*

functions and funding removed if they did not collaborate with the government's reforms.

Against this background Labour's ministerial team was very active across the whole spectrum of local government producing six green papers in the first year of office (DETR 1998a, b, c, d, e and f) of which *Modernising Local Government: Local Democracy and Community Leadership* (DETR 1998b) commences the debate on new executive arrangements by repeating some of the goals of the 1967 Maud Committee stating:

'...These benefits are the greater, the more the representative role and the executive role are separated. The Government is therefore very attracted to the model of a strong executive directly elected mayor.' (DETR 1998b:31)

The Green Paper then asked for views on:

'...an executive mayor, who would be given executive responsibilities which he or she could delegate on to either lead members or a cabinet which he or she would appoint; the mayor could either be elected by the councillors or directly by the electorate and the powers of the mayor could be either far-reaching or more constrained.' (DETR 1998b:ibid)

These ideas were subsequently developed in the 1998 *Modern Local Government* White Paper in which three models of executive arrangements, two including directly elected mayors – the mayor and cabinet and mayor and council manager - were offered (DETR 1998g:4,18, 20-23). A further White Paper *Local Leadership, Local Choice* (DETR 1999:8-11,13-17, 22) developed these concepts as a prelude to legislation.

From these key documents, three key questions emerge:

- What were the problems within local government that necessitated such a degree of change?
- What were the outcomes that the government desired from its reforms?

- How did the new local authority structures, especially directly elected executive mayors relate to either the faults or the outcomes?

Figure 1 (p40), assists with this analysis by summarising the main themes and offering a map indicating some of the factors that contributed to the local government changes. The conceptualisation is drawn from the two core White Papers: *Modern Local Government* and *Local Leadership* (DETR 1998, 1999) and the legislation itself (LGA 2000). The conceptual model covers the government's allegations about local authorities' shortcomings, some changes that might address these and how some dimensions to measure change can be induced.

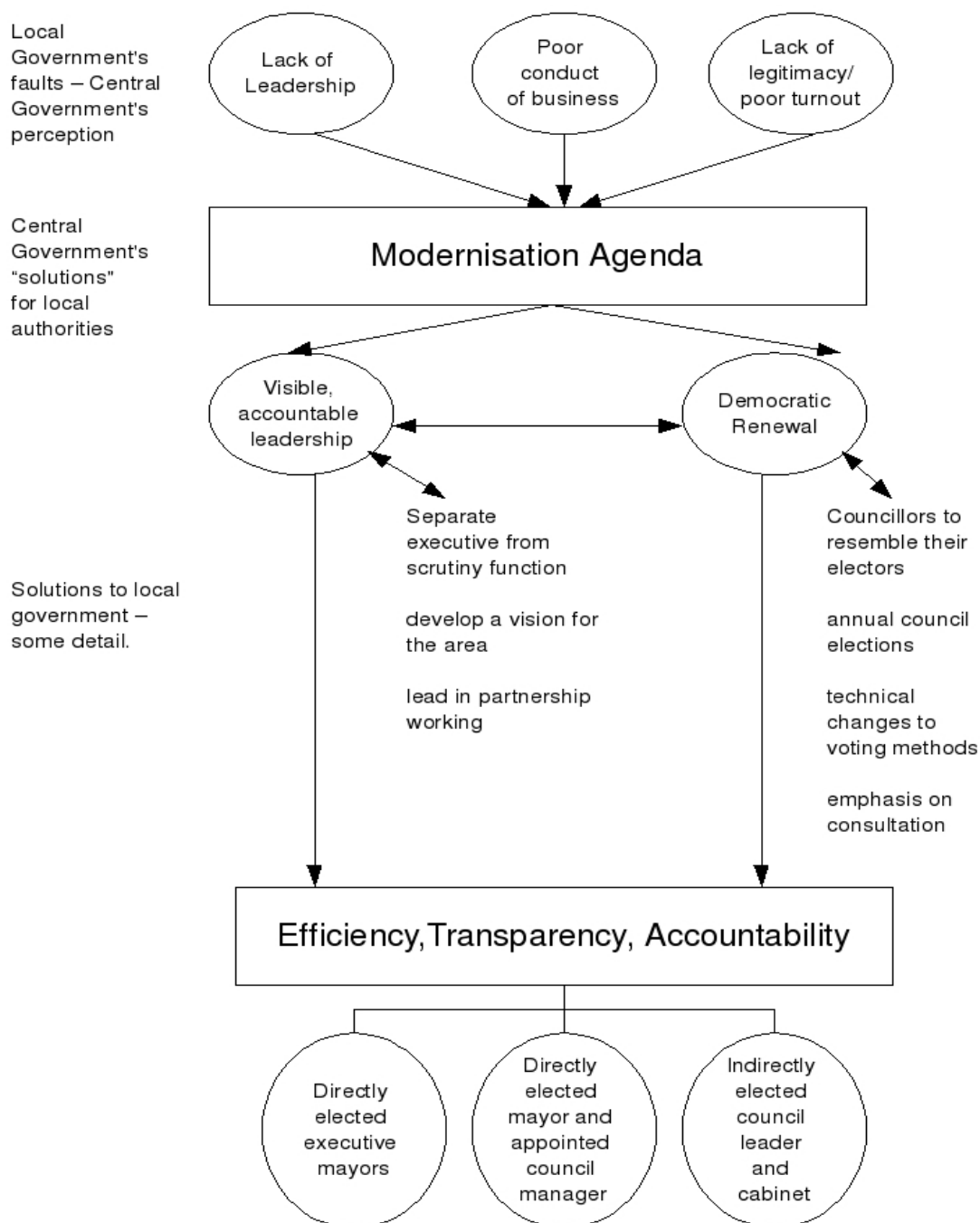


Figure 1: Central Government's Analysis of Local Government's Failings and the goal of its reforms

Sources: Derived from Blair 1998, DETR 1998, 1999, LGA 2000

The first tier of the diagram identifies three faults in the existing local government system according to national government's perceptions. First, there was what could be termed a "leadership" deficit:

'...And at the heart of councils' role will be leadership - leadership that gives vision, partnership and quality of life to cities and towns all over Britain...The committee system fails to foster community leaders and leadership; local people have no direct say over their local leader...It is not always clear who has taken a decision in reality. Few people know who is the leader of their local authority ...' (DETR 1998b:7,29,30).

Equally, there is little clear political leadership. This is not a reflection on the qualities of council leaders. It is caused by the structures in which they work. (DETR 1998g:18)

The Prime Minister also raised the issues of accountability and visibility adding: *'Local political leaders are anonymous'* Blair 1998:2).

Along with this concern about the lack of leadership within the council, there was a further issue for the Labour government about the way the council conducted its business, particularly the use of committees. These concerns form the second element in the top tier of Figure 1 (p40), namely:

'The evidence is that councillors - hard working and dedicated as they are - are overburdened, often unproductively, by committee meetings which focus on detailed issues rather than concentrating on the essentials.' (DETR 1998b:5)

'It is an inefficient and opaque structure for this purpose. It results in councillors spending too many hours on often fruitless meetings - a recent survey showed on average 97 hours per month' (DETR 1998g:11)

'This committee system, designed over a century ago, does not work today. It is inefficient, opaque, and weakens local accountability. It is no system for the modern council which needs to give effective leadership to its local community, and to take decisions in a faster moving world to deliver quality local services. People are not well served by it...too much time is spent by them in committees. A sample of councillors showed them spending an average of

over 60 hours per month on preparing for, travelling to and attending council meetings. In short, whilst on the one hand councillors can often be effectively excluded from the real decisions, they have on the other hand little time for their vital representative work in the community. Most of their time is taken up in largely unproductive committee meetings.' (DETR 1999:4, 5)

The local government minister, Hilary Armstrong, continued to stress the government's low opinion of the existing mode of operation in councils by asserting:

'We have to reignite the enthusiasm of local people in local politics by ending the out-dated, arcane committee system...With its cumbersome and corrosive impact on the interest and involvement of local people, the council committee system should be consigned to the history books.' (Armstrong 2000:21)

Within the academic community Berg and Rao (2005:42), Rao (2006:19) have repeated these views and developed the negative analysis of committees. The failing of the committee system was associated with the operation of the political party groups, which were alleged to have removed real decision-making from any open forum such as a committee to the privacy and secrecy of meetings only politicians attended. As Blair observed: *'Councillors need to avoid getting trapped in the secret world of the caucus and the party group'* (Blair 1998:15). Yet, there have been others who have defended the committee structure on the grounds that it did allow members to develop a degree of expertise with which to challenge officers' policy options (Elcock 1976:181, Stewart 2003:56). Committees have also been defended as a means to diffuse power within the council (Newman 2001:76). Furthermore, by having the Full Council meeting as the final and ultimate decision-making body, the notion of all councillors being equal was given expression (Elcock 2001:170).

The third element of Figure 1's (p40) top tier was that local councils had a "legitimacy" deficit because of the low level of turnout at local elections:

'Turnout at local elections is on average around 40% and sometimes much less. There is a culture of apathy about local democracy.' (DETR 1998g:9)

'The very engine of local democracy - the local election - is not working well. Turnout at local elections is far too low, and is falling.' (DETR 1999:5)

In 2000, the last elections for most councils before the Local Government Act 2000's changes to local authorities' executive structures were introduced, the average turnout in the metropolitan boroughs was just 26% and for unitary authorities it was 28.5% (Local Government Chronicle Elections Centre 2009¹⁸). Hence a low baseline was established against which any political difference resulting from the introduction of executive mayors could be measured.

Two additional themes were mentioned in these documents namely the need to ensure high ethical standards and the importance of improving service delivery by local authorities. The thesis will consider these as they relate to outcomes since they have a more direct relationship with the government's chosen solutions. These three elements are summarised in the Figure 1's (p40) second tier as the modernisation agenda, which is the Labour Government's own phrase: *'The Government was elected with a clear mandate to modernise Britain'* (DETR 1998b:6) and: *'The programme to modernise councils is a radical agenda for change.'* (DETR 1999:3).

To clarify matters, the proposed solutions are grouped into two clusters of desired outcomes:

- 1) Visible, accountable leadership and
- 2) Democratic renewal to enhance legitimacy.

These are shown as the third tier in Figure 1 (p40). The dimension of democratic renewal is noticeable for its emphasis on changes to the system of administering elections, particularly a recommendation to have all unitary and urban council elections "by thirds", that is in three member wards with one councillor being elected

¹⁸ <http://www.research.plymouth.ac.uk/elections/elections/results%202000.htm#sumlocal>
accessed 31-07-2009

each year and the fourth year being free for mayoral or regional elections (DETR 1998b:13-14). There was one key omission from these Green and White Papers since there was no mention of the supplementary vote electoral system that was eventually introduced as the means of choosing the winning executive mayoral candidate. One explanation is that this omission was deliberate, a means of encouraging the take up of executive mayors without the distraction of a relatively new electoral process. Another possibility that gains credence after the Labour Party lost the London Mayoral election in May 2000, could be that the nature of the electoral system was omitted in order not to cause consternation in within those Labour-run councils that might consider adopting a directly elected mayor.

Having summarised the problem as being three deficits: the lack of leadership, accountability and legitimacy, the government's modernisation process was an attempt to offer solutions to remove these short-falls. The desired outcomes were expressed in three improvements: greater efficiency, greater transparency and greater accountability, which form the fourth tier of Figure 1 (p40):

'Efficiency: A small executive, particularly where individuals have executive powers, can act more quickly, responsively and accurately to meet the needs and aspirations of the community. Transparency: It will be clear to the public who is responsible for decisions. The scrutiny process will help to clarify the reasons for decisions and the facts and analysis on which policy and actions are based. Accountability: Increased transparency will enable people to measure the executive's actions against the policies on which it was elected. Councillors will no longer have to accept responsibility for decisions in which they took no part. That should sharpen local political debate and increase interest in elections to the council' (DETR 1998g:19)

'...efficiency, where decisions can be taken quickly, responsively and accurately to meet the needs and aspirations of the community; transparency, where it is clear to people who is responsible for decisions; accountability, where people can measure the actions taken against the policies and plans on which those responsible were elected to office; and high standards of conduct by all involved to ensure public confidence and trust.' (DETR 1999:6)

Part of the delivery mechanism to achieve these outcomes was to offer one of three models of executive arrangements to local councils: an indirectly elected leader and cabinet, a directly elected mayor with an indirectly elected cabinet, or a directly elected mayor with an appointed council manager (s. 11 LGA 2000). Following amendments in Parliament, the legislation did offer a revised form of the committee system, called alternative arrangements, but this option was restricted to councils with a population under 85,000 (s.31 LGA 2000). Figure 1 (p40) provides an analytical framework to identify changes through which to assess the impact of introducing directly elected mayors: efficiency, transparency and accountability. Improvements in any or all of these three areas would signify a reduction of the deficits in leadership, legitimacy and accountability and provide evidence that executive mayors had made a political difference.

Having legislated to introduce a strategic directly elected mayor for London (GLA 1999), the government introduced its second Local Government Bill in 1999 that offered executive directly elected mayors for English and Welsh local authorities. An important background to the Parliamentary debate was the conduct of the London mayoral election in May 2000, which might have had an impact on the resulting legislation. The Labour Party experienced problems as a consequence of its London mayoral candidate selection process as the Party was divided into two elements: firstly, those who favoured the former Greater London Council Leader Ken Livingstone as the mayoral candidate and secondly those, mostly allied with the Prime Minister, who favoured any alternative (D'Arcy and MacLean 2000:47-48). The inability of the Labour Party to manage this difference was revealed when, within 48 hours of winning the Labour Party nomination, Frank Dobson was undermined by Livingstone announcing his candidacy as an independent (D'Arcy and MacLean 2000:73). For the Conservatives there were problems when Jeffrey Archer became

embroiled in allegations of securing false testimony in a libel case some 13 years earlier. The publication of this story in the media resulted in Archer standing down and being replaced by Steven Norris (D'Arcy and MacLean 2000:87-90). Livingstone, the independent candidate (667,877 1st preference and 178,809 2nd preference votes), went on to win the election with the Conservative candidate coming second (464,434 1st and 188,041 2nd preference votes) and the Labour Party candidate (223,884 votes) coming a distant 3rd, whilst the Liberal Democrats took fourth place (203,452 votes) (Travers 2004:73, Local Government Election Centre 2009)¹⁹.

The Local Government Bill had its the third reading after the London election (Hansard 2000c: col 188), and the three models presented in the 1998 White Paper were translated into law. To understand the different choices available to electors and councillors when considering which executive arrangements these models are reproduced below as Figures 2, 3 and 4 (p47,48,49). Yet, it is acknowledged that the figures illustrate the differences from the government's perspective (DETR 1998g:21-23). From these diagrams it is clear that the weakest political model was that of the executive mayor-council manager since in that case the mayor had just two roles: to provide political leadership and to propose the broad policy framework while key areas such as budget development were assigned to the appointed council manager.

¹⁹ <http://www.research.plymouth.ac.uk/elections/elections/results%202000.htm>

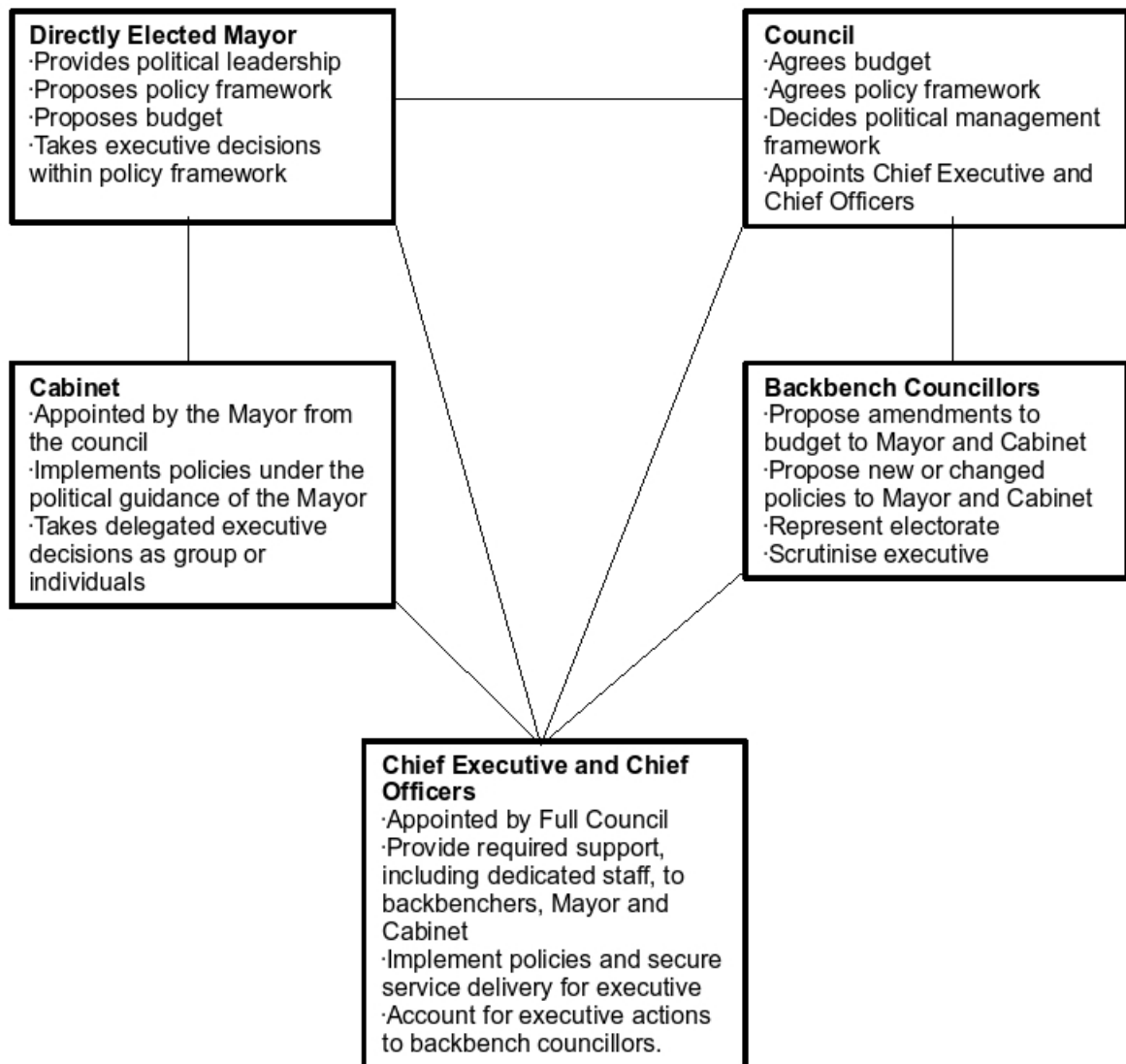


Figure 2: Model of a directly elected mayoral council

Source: DETR 1998g:21

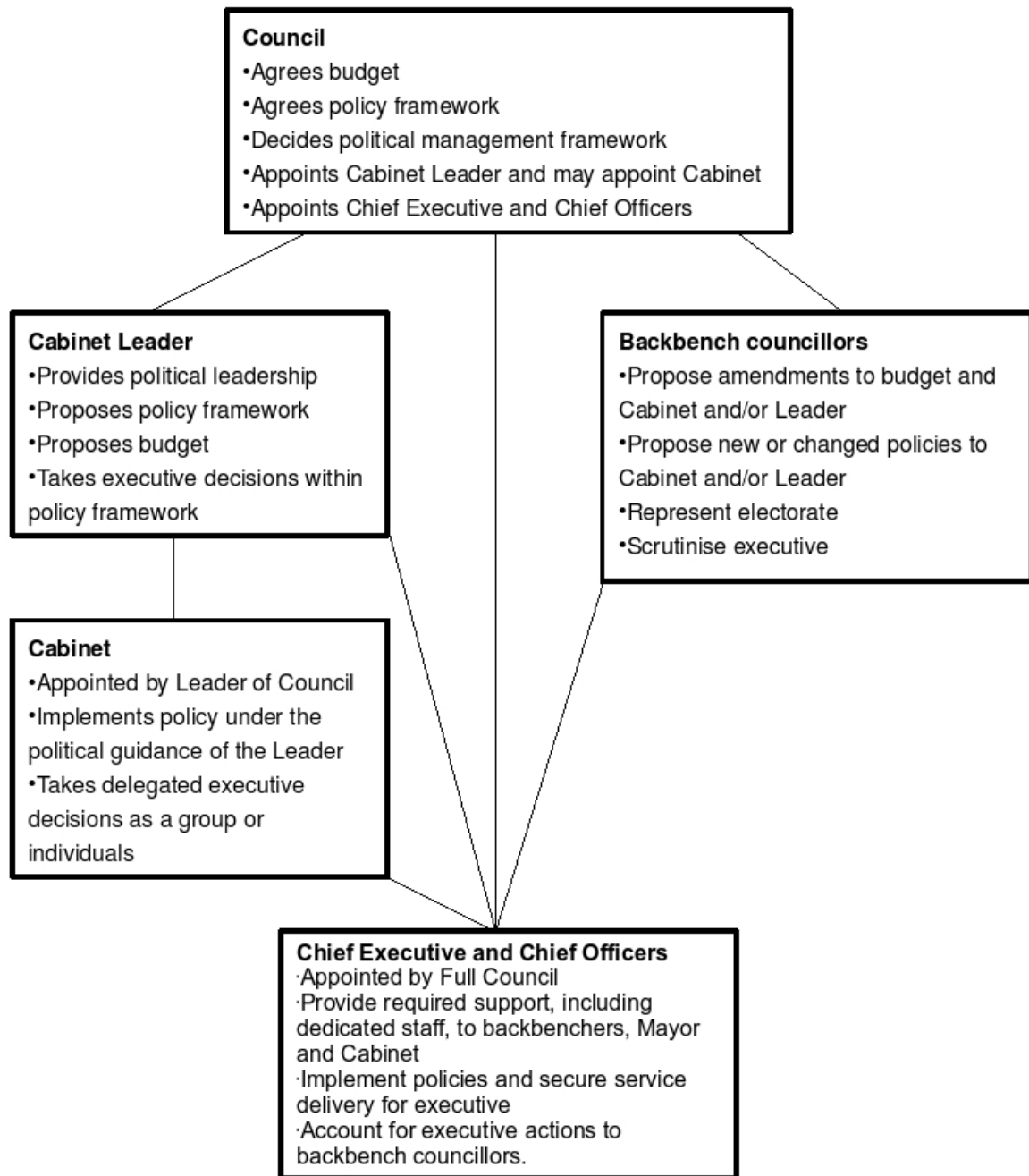


Figure 3: Model of an indirectly elected leader and cabinet council

Source: DETR 1998g:22

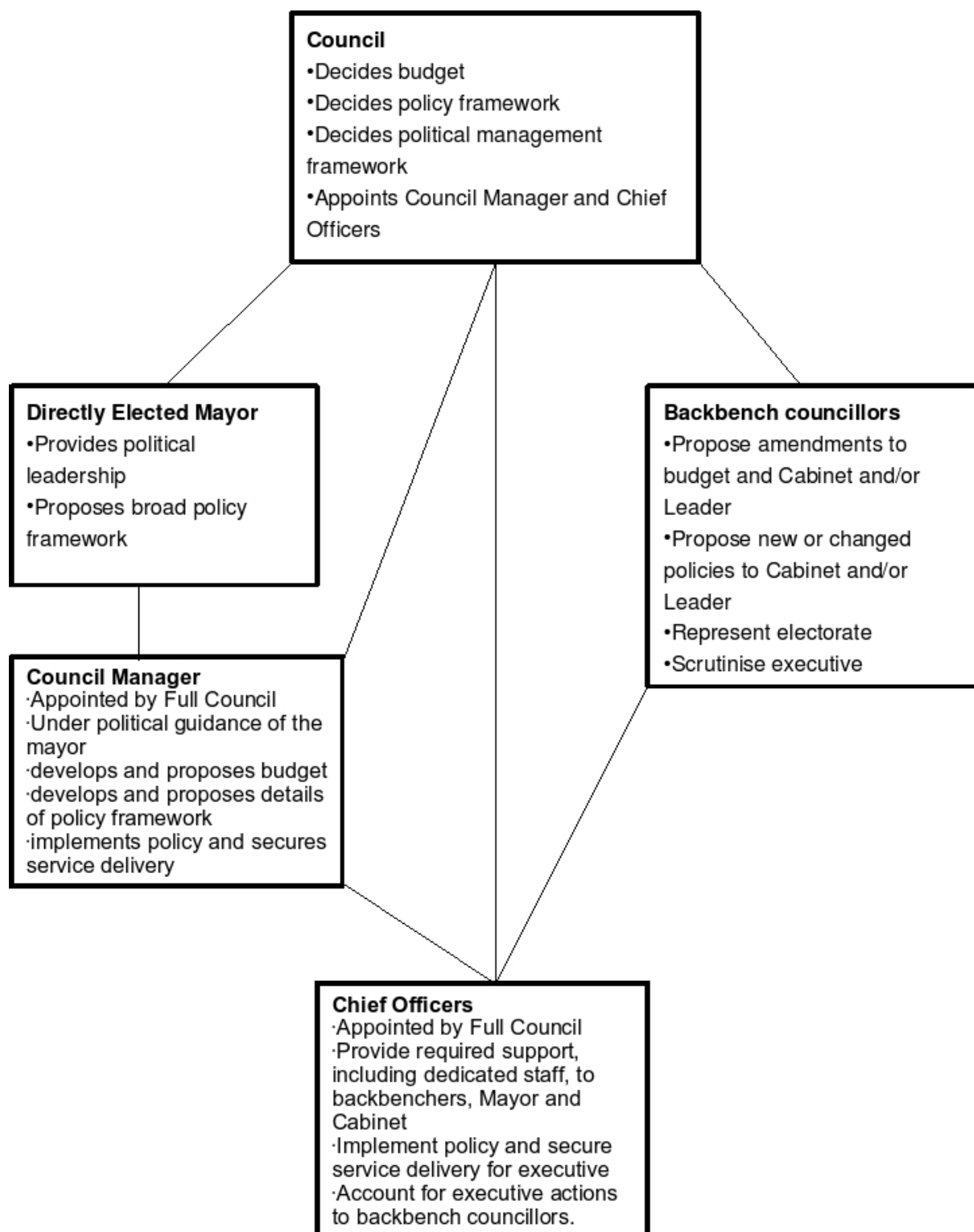


Figure 4: Directly elected mayor and appointed council manager council

Source: DETR 1998g:23

The lack of distinction between the government powers and functions of the directly elected executive mayor and the indirectly elected cabinet leader, which are illustrated in Table 3 (p50), may be of concern. The lack of clear, significant differences between the alternative models might have undermined councillors' willingness to opt for the mayoral system.

Directly elected mayor	Indirectly elected cabinet leader
Provides political leadership	Provides political leadership
Proposes policy framework	Proposes policy framework
Proposes budget	Proposes budget
Takes executive decisions within policy framework	Takes executive decisions within policy framework

Table 3: Lack of differences between executive mayor and cabinet leader options

Source: Derived from DETR 1998g:21-22 (Figures 2 and 3 p47,48)

What was observed was an unwillingness on the part of the government to give the new executive mayors any substantial increased powers and responsibilities when compared to cabinet leaders as a means of encouraging councils to adopt the directly elected mayoral innovation.

Once legislation had been enacted, the first referendum was held in Berwick-upon-Tweed on 7 June 2001, the same day as the general election. By the end of December 2002 30 referendums had been held of which 11 chose the executive mayoral option (Copus 2006:26-27, www.nlgn.org.uk). That fact that the initial referendum did not produce a “yes” vote might be perceived as indicating future problems, although the government did not interpret the result as a warning at that time. It was noticeable that none of the major UK cities – Birmingham²⁰, Leeds,

²⁰In 2007 The *Birmingham Mail* failed to encourage 36,0000 citizens to sign a petition to call a mayoral referendum <http://www.birminghammail.net/news/birmingham-campaigns/elected-mayor/2007/11/08/six-months-in-and-the-fight-continues-for-mayor-petition-97319-20079553/>

Liverpool, Manchester and Sheffield, had held referendums or been compelled to hold one. Yet, from the list of referendums, it was not clear how close England came to having more executive mayors had the government used its intervention powers to compel a referendum more widely. John (2004:52-53) questioned why central government did not simply impose reform on '*...a reluctant local government, as it has in so many areas.*' Elcock (2006:34) proposed a more forthright approach to ensure a wider take up of the new model of government:

'If radical reforms, such as adopting directly elected mayors, are regarded as being desirable, they must be imposed from the top down to secure their adoption throughout the local government system.' (ibid)

Elcock's urging had more resonance when it was noted that a number of these local authorities established local democracy commissions including academic and citizen representation. While these carried out consultative exercises with members of the public about which option should be recommended to councillors, most councils still failed to follow through with the commissions' recommendations. In the case of Birmingham there was even a postal consultative referendum of residents that attracted a 30.8% turnout, a figure greater than the turnout in almost half the actual referendums (Copus 2006:26-27). The results, announced on 18 September 2001 (Birmingham 2008:10) were as follows:

Leader & Cabinet :	46.4%
Mayor & Cabinet :	40.2%
Mayor & Council Manager :	13.4%

While the result of this ballot produced a plurality in favour of the cabinet leader model, the sum of votes for the two mayoral options also supports a conclusion that a majority of voters supported an executive mayoral system. Unfortunately for those who sought the latter, the councillors chose the cabinet leader system and central government did not use its reserve powers to direct a referendum. Liverpool's democracy commission, supported by the Labour Councillors who were the

opposition group on the council, also backed a directly elected executive mayor while the Liberal Democrat majority group opposed it.²¹ Further evidence that might have supported government intervention to compel a referendum came from an extensive survey, which found that positive views about a directly elected mayor far exceeded negative ones. The findings of this survey are summarised in Table 4 .

Theme	% of those who agreed strongly or very strongly
Mean there was someone who could speak up for the whole area	78.30%
Mean it was always clear who was responsible when things go wrong	66.30%
Make it easier to get things done	65.30%
Make local politics more interesting	58.30%
Give too much power to one person	45.50%
Mean the council tax would go up	32.50%
Mean local councillors would have too little to say	34.70%
Mean local services like schools and refuse collection would get worse	12.30%
Sample size: 11,040 responses from 10 local councils	

Table 4: Public Attitudes Towards Directly Elected Mayors

Source: DTLR 2001a:18, 61

It is noteworthy that only in one instance, LB Southwark, did the Secretary of State compel an authority to hold a vote on having an executive mayor, however, this did not produce a positive outcome for those who supported the change (Leach and Wilson 2004:137). A further problem was that on only three occasions did turnout

²¹ Select Committee on Environment, Transport and Regional Affairs _Memorandum by Liverpool City Council (LAG 37)
<http://www.publications.parliament.uk/pa/cm200001/cmselect/cmenvtra/225/225m38.htm>

exceed 40% and only once did a majority of electors take part since that referendum was combined with a general election.

From June 2001 until May 2002, the responsibility for local government was handed to the Department of Transport, Local Government and the Regions (DTLR). It was headed by Stephen Byers, who, according to Andrew Kerr, North Tyneside's Chief Executive (interview data), had been an active supporter of an elected executive mayor as he had been a councillor there prior to becoming one of the local Members of Parliament. Furthermore, Byers made a strong speech in support of executive mayors at the Labour Party conference in 2001 (Orr 2004:335).

During Byers' tenure as the Secretary of State, perhaps the most significant exogenous event was the 11 September 2001 terrorist attack on the US. The prominence of New York's Mayor Giuliani in the aftermath of the destruction of the city's Twin Towers was cited as reason for the success of a number of mayoral referendums (Game 2002c:10), however, no evidence has been produced to support a causal relationship between the attack and the referendum outcomes. Nevertheless, the media coverage of Mayor Giuliani did provide a vivid example of a political figure exercising decisive leadership in a visible, accountable manner - actions that would be consistent with the government's desired political differences in England. Of the nine referendums held between the terrorist attacks and the end of October 2001 five were successful - 41% of all successful referendums²².

Unfortunately, the Minister became embroiled in a scandal when a press officer in his department was caught issuing an email advising colleagues that the day of the terrorist attack could be used to "bury bad news" and this might have diminished his effectiveness with the government as an advocate for executive mayors (BBC News

²² www.nlgn.org.uk

2002). By the end of 2002 the pattern of executive mayors did not look favourable for the Labour Party from a purely partisan perspective. Excluding Greater London, electors in only 11 authorities had voted for mayors and in the initial contests, the Labour Party had won just four: Doncaster, Hackney, Lewisham and Newham. In order to remain on the political agenda, directly elected mayors were dependent on the active support of a senior cabinet minister, otherwise they ran the risk of being sidelined or ignored as a policy option.

Following Byer's resignation from the Cabinet in 2002, there was another departmental reorganisation with local government once more under John Prescott, but now as part of the Office of the Deputy Prime Minister (ODPM). In this period there was no new legislation to promote executive mayors, but the department was involved in two of Prescott's favoured projects: securing directly elected regional assemblies, and creating unitary local authorities (Chandler 2007:279) and only one successful mayoral referendum occurred during the period 2002 to 2006, in Torbay. Politically, the Labour Party's greatest mayoral successes relating to executive mayors occurred in 2005 when its candidates defeated the Conservative incumbent in North Tyneside and the independent in Stoke-on-Trent, while holding off a strong challenge in Doncaster to retain that executive mayoralty. There was, however, disappointment in not defeating the Mayor of Hartlepool who managed to increase his majority significantly (for details of the results see Appendix C). As for the other political parties, the Conservatives had to wait until 2005 to win another mayoralty in Torbay while the Liberal Democrats, for all their stated opposition to the system (Liberal Democrats 2007:13), retained Watford in 2007.

The Labour Party experienced more misfortune in the 2009 elections with Doncaster falling to the English Democrats (Peter Davies) and North Tyneside being retaken by the Conservative candidate Linda Arkley, making her the first executive mayor to

have regained a mayoralty after a defeat. Interestingly Mayor Drummond lost ground by not having a strong Labour Party parliamentary campaign to mobilise support around him as the leading independent candidate. His majority over another independent was much reduced in 2009 compared to what it had been over Labour in 2005 (see Appendix C).

In May 2005 there was another reorganisation of ministerial portfolios with local government moving to the Department of Communities and Local Government (DCLG) under David Miliband as the minister. It was anticipated that this might inject new life into the mayoral project as Mayor Egginton observed: *'I think Miliband is a minister who is committed to the mayoral style of governance...He's certainly said all cities and major towns should have an elected mayor...'*

One year later there was a further reorganisation and Miliband was succeeded by Ruth Kelly in May 2006²³, who presented a white paper, *Strong and Prosperous Local Communities* (DCLG 2006:10-12,50), which proposed removing the mechanism requiring a referendum before an executive mayor was adopted and allowing councillors alone to make the decision. What was significant at the time was that the media saw this change as making it easier to introduce executive mayors by making it easier for councils to recommend change (BBC 2006b). Yet, a survey had indicated that councillors were one group that was substantially opposed to the introduction of mayors (Rao and Young 1999:59). Opposition to change was confirmed as no council chose the executive mayoral option when their constitutions were first reviewed five years after the LGA 2000 (Gains *et al* 2005:33). With the departure of Prime Minister Tony Blair from British politics in June 2007, Ruth Kelly was moved to another department and Hazel Blears took over at the DCLG, under whom no new executive mayoral authorities were created before her resignation just

23 <http://www.number-10.gov.uk/output/Page6786.asp>

a few days before the combined local and European Parliamentary elections in June 2009²⁴. Her successor, John Denham, has also not overseen the introduction of any new executive mayors. For example, an attempt to generate public support for introducing a directly elected mayor in Swindon, where the researcher was based in 2009, was led by a local website and included five consecutive days' coverage in the local paper, The Swindon Advertiser. The campaign produced just 125 signatures against the 7,608²⁵ required to hold a referendum (Swindon Advertiser 18 October 2008)²⁶.

Conclusion

The first test for whether executive mayors had become embedded in England occurred in 2007 when all councils were entitled to carry out a five year review of their executive arrangements and to consider alternatives. There was some concern that there would be attempts to abolish some elected mayors with reports of petitions being collected in Doncaster (Anderson 2007) and Middlesbrough (McKenzie, local journalist) to try to trigger a referendum for constitutional change. The English Democrat victor of June 2009's mayoral election in Doncaster was also committed to abolishing the office.

Bedford's then Labour group leader, Cllr Shan Hunt also supported a recall or a referendum to abolish the executive mayor and stated:

'But we've looked at a recall referendum and the order hasn't been placed in Parliament yet, because there was a move by some members of our group to start a petition which we thought we could do after ten years.' (interview data)

24 <http://news.bbc.co.uk/1/hi/8080777.stm>

25 <http://www.talkswindon.org/index.php>
PHPSESSID=7c398d5d5a545f24f78330e5d824e4ea&topic=3352.0

26 http://www.swindonadvertiser.co.uk/search/3769578.Apathy_wins_the_mayoral_debate/

The effort spent collecting these was misdirected, since a number of legal officers confirmed that only the Full Council could initiate an abolition referendum²⁷. Kath Nicholson, Lewisham's Head of Law related her experience of being challenged on this:

'I think it [the legislation] is very clear. And again I've advised on this, and the Lib Dems did not like my advice and they went and took counsel's opinion... you can't use a referendum to move away from the mayor...what you need to do is you need to have a council resolution to have a referendum about whether you move away.' (interview data)

Tony Brown, Hartlepool's senior lawyer was equally unequivocal on this:

'I think it's taken some by surprise I must say at one point it took me by surprise, that the local population, once you've got an elected the local population cannot by petition call for a referendum to drop the elected mayor.' (interview data)

By the 2009, only two mayoral authorities had witnessed a vote to change the system. In Doncaster a motion to hold a referendum was passed by the full council following pressure from the public including a 11,000 signature petition (Anderson 2007), even though there was doubt as to whether the government would permit this (Goodwin 2007). No referendum had occurred in Doncaster by September 2009 perhaps, as the *Strong and Prosperous Communities* White Paper stated: *'Once an authority has opted for a directly elected mayor or executive the presumption will be that it should not move back to an indirectly elected model.'* (DCLG 2006:57). The threat remains in that Mayor Peter Davies, who was elected in June 2009, made a manifesto commitment to abolish the executive mayoral form of government (*Doncaster Free Press* 11 June 2009²⁸).

A different pattern was observed in Stoke-on-Trent, the only council to adopt the

27 While LGA 2000 provided extensive provision for the holding of referendums to move to an executive mayor, only a vote by the council can initiate a referendum to remove an executive mayoral system (ss 26 and 27 LGA 2000)

28 <http://www.doncasterfreepress.co.uk/free/Mayoral-election-2009-The-dawn.5358547.jp>

mayor-council manager model option in which the directly elected mayor was meant to provide the political guidance to the council and would operate without a cabinet. In December 2006 the council started the process of developing a new constitution that might be closer to the executive mayoral model practised elsewhere in England (Stoke-on-Trent Council 12-12-2006)²⁹. Events overtook this because in October 2008 the authority held a referendum that resulted in the abolition of the executive mayoralty when the last elected mayor's term of office ended in June 2009 (*Local Government Chronicle* 24-10-2008)³⁰. Therefore, over the course of the research the number of executive mayors in England will have started and finished at 11, with Stoke-on-Trent retaining its doubly distinct status as the only mayor-council manager model and the only council to abandon a directly elected mayor.

The executive mayoral concept enjoyed a brief renaissance in 2007 first with the Conservative Party's Cities Taskforce recommending this model both for top tier authorities and for new Pan-City authorities (Heseltine 2007:1). Given that Lord Heseltine chaired the task force and produced its report, its support for executive mayors might have been expected. The Conservative Party leader, David Cameron was reported in the media as endorsing Lord Heseltine's report the day after its publication (Pierce 2007)³¹, however, there appeared to be no subsequent follow-up by way of Conservative-run local authorities seeking to adopt the mayoral model. Nevertheless, Cameron asserted his view at the Local Government Association Conference in July 2008 that executive mayors might be suitable for large cities, although this would not be imposed.

In the Conservative Party's 2009 "Green Paper" the commitment to executive mayors

29 http://www.stoke.gov.uk/ccm/content/cc/news_releases/mldecember-2006/410_06.en accessed 15-07-2007

30 http://www.lgcplus.com/News/2008/10/stoke_opt_to_scrap_elected_mayor.html accessed 02-03-2009

31 <http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2007/06/16/ntory116.xml>

was retained, but not for all councils as it stated: *'We will...provide citizens in all our large cities with the opportunity to choose whether to have an elected mayor'* (Conservative Party 2009:21). There was less clarity in the Liberal Democrat position. Councillor Kemp, from Liverpool, was quoted on the *City Mayors* website stating his hostility: *'I oppose (elected) mayors as a matter of principle and because we can already see that they are having no discernible impact on the areas they lead.'* (Kemp 2006). A year later the national party modified their stance by allowing for the retention of executive mayors, but providing for an easier mechanism to trigger a referendum for their abolition (Liberal Democrats 2007:13).

In 2008 the government offered some encouragement to local authorities to adopt executive mayors, firstly, by considering changes to make it easier to call for a referendum:

'We want to see more mayors directly elected and will consult on making it easier for local people to demand a referendum and on reducing restrictions on the frequency of referendums.' (DCLG 2008:7)

Yet, reviewing the NLGN website of mayoral referendum results suggests that there is still a problem of getting citizens to endorse the concept when given the opportunity to vote as most referendums have returned a “no” vote. A full list of all the referendum outcomes is included in Appendix B. Secondly, the government recognised the need for executive mayors to have different powers from indirectly elected leaders by stating:

'We will make the move to a directly-elected mayoralty more attractive to local politicians with an expectation that directly-elected mayors, where they exist, would chair the Local Strategic Partnership and, be the new Crime and Policing representative, as announced by the Prime Minister in the draft legislative programme for 2008-09'. (DCLG 2008:94)

No evidence was produced about why these very limited additional roles would be so attractive either to residents or councillors to encourage them to petition for a

referendum. At least one mayor, Ray Mallon (Middlesbrough) stated in his interview that he had deliberately chosen not to chair the Local Strategic Partnership. In the case study chapters eight and nine, the interview data from mayors will indicate the scope of powers or responsibilities they believe would enhance their effectiveness.

The above contextual narrative is represented graphically in Figure 5 (p61), which indicates the uneven journey to arrival of directly elected mayors in English local government. As a consequence of this, it is difficult to conclude that the directly elected mayoral initiative has been an unqualified success. Indeed, Figure 5 (p61) illustrates how the Labour government has failed to use its legislative majority to force through change, as Elcock (2006:34) noted. Two key elements are illustrated, first, the time line confirms that the concept has become rooted in the thoughts of the national political *elite*, even if it presently lacks a sponsor in government office. Secondly, underlying this time-line, is the issue that politicians have not yet fully articulated the problem to which executive mayors are the answer, hence the lack of will to impose the mayoral option on councils. Orr (2004:331) expressed this clearly in the title: *'If Mayors are the Answer, then what was the Question?'* The analysis shows that members of the public have not perceived executive mayors to be a solution, since when given the option to choose a directly elected executive mayor in a formal referendum, the public has, in a majority of cases, voted “no”.

Having considered the context in which the executive mayoral option became part of British public policy, the thesis will return to the core themes: visible accountable leadership and democratic accountability identified in Figure 1 (p40) and in the next chapter will review theories of political leadership, especially as applied to local government.

Timeline



Figure 5: The Uneven development of directly elected mayors: a UK government perspective

Source: Researcher's notes

CHAPTER THREE: FROM THE BOROUGH TO THE PEOPLE – EXECUTIVE MAYORS AND LOCAL POLITICAL LEADERSHIP

Introduction

The first task in this chapter is to determine an appropriate theoretical and analytical framework to assess what political difference can be attributed to the introduction of executive mayors. The emphasis placed by the Labour government on leadership indicates that it was a key concept in understanding public policy towards local government and hence a vital dimension along which to measure political change. For example, the 1998 Green Paper stated: *'Executive leadership needs to be visible. An individual can provide a clear focus for local leadership as experience across Europe and the Western world shows.'* (DETR 1998b:30). In the subsequent White Paper a modern, twenty first century council was described as one that has *'...clear and effective political leadership'* (DETR 1998g:8). The role of leadership was developed further as part of the wider need for change when the White Paper added:

'Councils need new structures which create a clear and well known focus for local leadership. Local people should know who takes decisions, who to hold to account, and who to complain to when things go wrong.' (DETR 1998g:18)

The government's argument was that such leadership had not been provided by the committee system and that the separation of representative and executive roles that would facilitate the creation of better political leadership could be achieved through the introduction of a separate executive, including directly elected mayors (Blair 1998:16, DETR 1998g:20). The theme of leadership was continued In the 1999

White Paper where the government asserted that there was a need for local authorities to have '*a clearly identified executive to give strong leadership to communities, and clarity to decision taking*' (DETR 1999:130). Such leadership, it was suggested, could be delivered by: '*a directly elected mayor with a cabinet; a cabinet with a leader; and a directly elected mayor and council manager*' (DETR 1998g:21-23). The details of these options are summarised as Figures 2, 3 and 4, (pp 47, 48 and 49). In fact, the titles of two white papers themselves – *Local Leadership, Local Choice* (DETR 1999), *Strong Local Leadership, Quality Public Services* (DTLR 2001b) – provide further evidence that changes in the nature of political leadership should be a core dimension by which the changes can be assessed.

Therefore, political and urban leadership theories will be employed as a starting point to develop an analytical framework to measure the political difference that elected mayors have made. First, a normative model, derived from government thinking, describing what local political leadership ought to be is established. In the chapter's first section some problems of definition, especially the terms local and leadership, will be examined. The nature of what is local is significant in the English context particularly as local government administrative and electoral boundaries can be changed by central government. Since the local authorities with an executive mayor vary in size from under 70,000 electors to over 200,000, the nature of the term local cannot be linked to population alone.

"Leadership" requires clarification since it is a key term used by central government and forms part of the normative model outlined as Figure 6 (p68). While government may exhort "leadership" as a value, a better understanding is required about what was really expected as an outcome of "leadership" in order to evaluate whether or not executive mayors have delivered it, or to what degree they have changed it. The

chapter will also set out how the terms “member” and “official” will be employed as these terms are not always employed consistently, outside the UK. In the second section the concept of “political leadership” will be considered and set in the context of local government.

The chapter's second section will conduct a literature review of the key theories that have been advanced, particularly the descriptive ones, to aid in the analysis of executive mayors as leaders in an English context. From this literature, the third section will develop an understanding of the term “political”, which will relate to the task of resolving disputes about the allocation of public resources and determination of public policy, an activity with which executive mayors are connected as local leaders. From this literature, some conceptual models will be introduced that will be employed both as means of longitudinal analysis within individual mayoral authorities as well as for comparison between them. To commence, the government's own definitions of a strong local leader will be investigated.

The Strong Local Leader: Government's Vision of British Executive Mayors

Although the government made the introduction of a new, stronger, more visible leader part of the narrative of local government reform, (DTLR 2001b:2-3, Leach and Wilson 2008:306) there was not an unambiguous definition of what such a leader's attributes or characteristics should be. In order to produce a normative model of what the government might have expected, a definition was inferred by focusing on the criticisms made of the previous committee-based model and on the indications in the White Papers about the roles a new local government executive may undertake. From these an inductive model of English executive mayoral leadership will be advanced.

The 1998 White Paper offered the following illustration of a modernised local council with the establishment of a separate executive, which includes the mayoral authorities:

'The responsibilities of the executive will be to:

- *translate the wishes of the community into action;*
- *represent the authority and its community's interests to the outside world;*
- *build coalitions and work in partnership with all sectors of the community, and bodies from outside the community, including the business and public sectors;*
- *ensure effective delivery of the programme on which it was elected;*
- *prepare policy plans and proposals;*
- *take decisions on resources and priorities; and*
- *draw up the annual budget, including capital plans, for submission to the full council. '* (DETR 1998g:25)

A similar list was contained in the following year's White Paper, a significant document since it was followed shortly afterwards by the legislation that introduced executive mayors:

'In all the new forms of local governance, the executive will have wide ranging leadership roles. It will:

- *lead the community planning process;*
- *lead the preparation of plans and strategies;*
- *consult on and draw up the annual budget, including capital plans, for submission to the full council;*
- *lead the search for best value;*
- *take in-year decisions on resources and priorities to deliver the strategies and budget approved by the full council, consulting with other councillors and stakeholders in the local community as necessary; and*
- *be the focus for forming partnerships with other agencies and the business and voluntary sectors locally to address local needs.'* (DETR 1999:21-2)

These different tasks can be sorted to reveal some common themes. First there are those that focus on the internal working of the council:

- Preparing the budget,

- Securing best value, and
- Making annual decisions on priorities.

Counting the references in the two White Papers indicates that they are overwhelmingly focused on these internal processes with 8 out of the 14 bullet points being wholly or largely linked to work within the town hall, not the wider community. Second, there are those roles where the cabinet, and hence also possibly an executive mayor, are acting as the electorate's representatives:

- Implementing the policy desires, and
- Delivery of a manifesto or policy platform on which he or she was elected.

Third, there are a number of tasks in which the executive mayor would be acting as a representative of the council, or the entire local authority area:

- Working with partners to secure delivery,
- Developing a vision, and
- Communicating the community's wishes and aspirations to the outside world.

These roles will be examined in greater detail in this chapter to determine how they inter-connect with theoretical models of local political leadership.

A normative model can also be inferred from the government's assessment of local government's faults that the reforms were meant to address. First, there was a concern about low turnout in local elections, with fewer than two in five voters going to the polls (DETR 1998b:5, DETR 1998g:9, DETR 1999:6). The problem of low turnout was also connected to a belief that council leaders lacked visibility. Hence, one of the political changes that the introduction of executive mayors should bring about is an increased level of participation in elections. In Hackney this expectation of a higher turnout was shared by the Assistant Director of Civic Services, Jay Kistasamy, who oversaw the management of elections, who stated: *'In terms of a hierarchy I'd expect turnout at a general election to be highest, and mayoral elections to be second highest, and borough elections third'* (interview data). For the chapter,

the significance is government's policy assumption that local councils should have a visible, accountable leader whose legitimacy is derived from a high turnout election.

A second problem was the belief that there was a lack of clarity about who was making the real decisions, an obfuscation the government attributed to the committee system and, by implication, to the political party groups' private group meetings (Hall and Leach 2000:164, Copus 2004b:106). The government described its fears as:

'...the committee system leads to the real decisions being taken elsewhere, behind closed doors, with little open, democratic scrutiny and where many councillors feel unable to influence events.' (DETR 1998g:11)

Hence, the 1999 White Paper laid great emphasis on the ability of either the executive mayor, or individual cabinet members with assigned portfolios, to be the sole decision makers (DETR 1999:14). The implication was that decisions would be made in public and that executive mayors and cabinet members would not be acting as their political party's delegates. Even where delegation did exist, there would still be a capacity for the mayor to assume responsibility:

'Any delegations made by the mayor are subject to the mayor being able to call back to himself a particular decision which might otherwise be taken by another member of the executive or a group of executive members.' (*op. cit.*:24)

Since such decisions would be made in an open transparent way, it was anticipated that the executive mayor or cabinet would be accountable both to councillors through a scrutiny process, and the wider community through the elections.

Yet, for all this emphasis on the new local political leaders being decision-makers, the government also stressed the role of involving the community in decision-making as the 1998 Green Paper stated, a duty to consult would be introduced (DETR 1998b:23). In the 1998 White Paper the leader's role was described as being to *'translate the wishes of the community into action'* (DETR 1998g:25), which indicates

that the government intended to restrict the executive mayor's freedom of action more closely to some perceived but undefined general will. Therefore, Figure 6 (p68) develops an understanding of what central government thought the new, strong, local government ought to be. Next, this model will be compared to theoretical conceptualisations of local political leadership to draw out those elements that are present in both theoretical and public policy accounts.

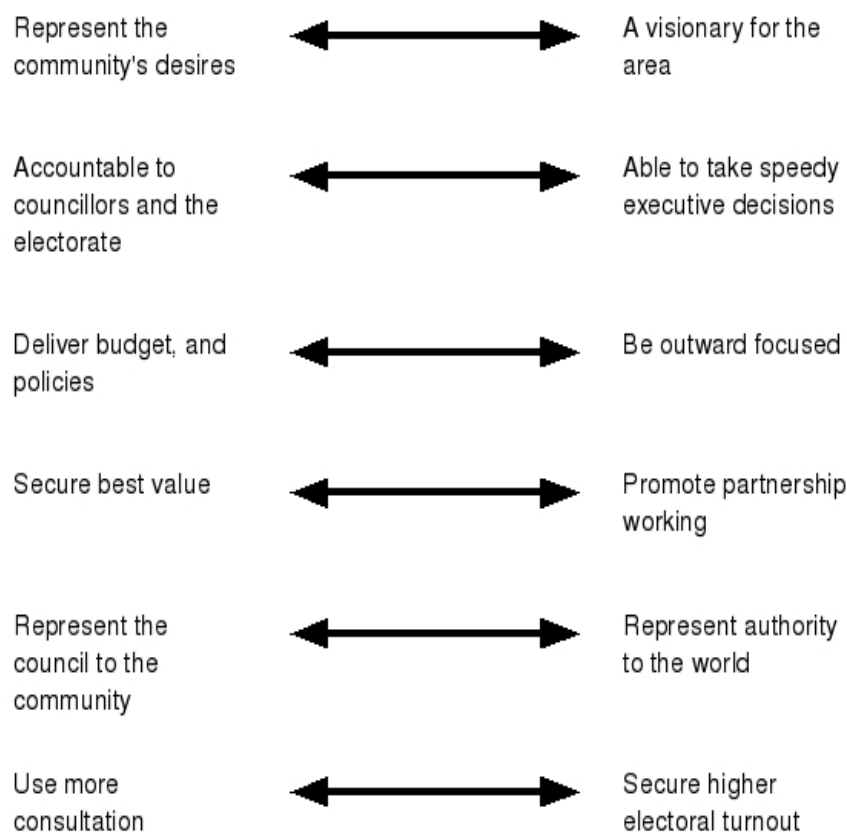


Figure 6: The bi-polar political space of English executive mayors : A conceptual representation developed from the Labour Government's normative model of mayoral leadership

Source: Research's normative model developed from Government Green and White Papers (DETR 1998b, 1998g, 1999)

Defining “Local leadership”: actions, power and influence

Research on leadership in a local political context is multi-national, which means the first challenge is defining terms. In America the term “mayor” is employed as a synonym for a local political leader since this office is common in the US. There are, however, different institutional settings and powers that vary between cities and thus the term 'mayor' alone may not provide a clear insight, even in the US, to the form of local government in operation. Within Europe the term “mayor” is problematic since it could cover three types of mayor, those who are elected by:

- Whole population as head of the executive,
- Councillors only and are also head of the executive, or
- The voters but do not head the executive. (Clarke *et al* 1996:10).

Within the United Kingdom there may be some confusion since ceremonial – also known as civic - mayors are elected, albeit only by other councillors and not the electorate as a whole. Henceforth, the term local political leader will be used to cover both directly and indirectly elected leaders of the council's political executive and the term executive mayor will be employed here to distinguish mayors directly elected by voters. Employing the former definition to cover all English local government provides a basis for future comparative analysis.

A second term that can be confusing is “official” as this could be applied to a person who is elected in addition to one who is appointed, although in the UK the phrase council officer is also used to signify an employee rather than an elected member. Henceforth, the term “member” will be used to signify someone who was elected while “official” will be reserved for an appointed local government officer – an employee, not a politician. Such a distinction is important since this thesis will consider issues of the desirability of mayors to appoint personal staff or even non-

councillors to cabinet positions. It also relates to issues of transparency and accountability that will be explored in subsequent chapters.

There is also a challenge in that there is no common definition of the term “local”. It might mean the geographical boundaries of a local authority as well as small geographical units or even communities of interest such as ethnic or faith based groups. Frazer (1996:103) argued that the term “locality” is less value laden and less exclusive than “community” and could be more appropriate for investigating English executive mayors. Hampton’s (1970:3) study of Sheffield, however, suggested that residents have a far more limited concept of what a locality is and that even a local authority unit may be too large to be relevant. A formal legal definition based on charters, legislation and geographical borders has some relevance for other countries, such as the US, where local government borders may change slowly (Caufield and Larsen 2002:18). In considering British local government the historical, geographical context has been dominant since the major overhaul of urban local government brought about by the Municipal Corporations Act 1835 (Rallings *et al* 1996:62). One consequence of the Local Government Act 1972 was that there were significant changes to the number and size of councils outside Greater London. As Mansfield's Mayor Egginton said:

'Yes, ours is a mixture of local government communities because obviously, back to reorganisation in '74 when I was a local government officer. We combined, on local government reorganisation we got Warsop Urban District Council, Mansfield Woodhouse Urban District Council and former Mansfield Borough Council.' (interview data)

Some of the other mayoral authorities possess deeper historical roots, for example, Doncaster not only retains its Eighteenth Century Mansion House as its council chamber,³² but the town can trace its roots to when Britain was part of the Roman

³² http://www.doncaster.gov.uk/Leisure_in_Doncaster/Museums_and_history/historic_buildings/Mansion_House/Doncaster_Mansion_House.asp accessed 13-06-2007

Empire. To provide a starting point, the term “local” is employed to encompass the local authority boundaries. Having established these common terms, the following section reviews literature of the key theories related to executive mayors and political leadership.

Defining Leadership in a Local Government Context

Leadership itself is a contested concept with Edinger (1975:254) commenting on the confusion that was arising from the lack of commonly accepted definitions while Stone (1995:96) asserted: *'There is no well developed theory of political leadership, perhaps not even a universally accepted definition,'* a view echoed over the following years by Elcock (2001:16), Peele (2005:188) and Haus and Sweeting (2006:270). Greasley and Stoker (2005:14) felt it necessary to reiterate that such a theory of local political leadership should conform to the scientific requirements of providing simplicity as well as parsimony.

There appears to be a divergence between the approach taken by those who study local politics who focus on behavioural aspects of leadership, and those whose leadership theories are derived from business or administration. Grint (2000:2) and Morrell and Hartley (2006a:491-493) summarise four types of leadership theory: trait, contingency, situation and constitutive, all of which have some strengths and weaknesses within the context of leader as agent or principal, and are applicable to executive mayors.

Trait theories focus on the personal qualities of the leader as an independent agent and could be employed to examine executive mayors once they have left office since biographical techniques can be applied (Paige 1977:196). A limitation of this approach is that it places insufficient emphasis on how leaders and the councils -

their formal institutions - interact and does not address fully how executive mayors could deliver their policies. Contingency and situational approaches over-emphasise the role of structure and could be deterministic to the point of rendering the leader himself powerless to alter outcomes, thus making them the antithesis of trait theories. Were this to be applied to executive mayors, formal rules and the precise context in which the person operated would be the centre of attention, however, the informal rules might be overlooked.

As a consequence of these shortcomings, Morrell and Hartley (2006a:491-493) adopted the concept of constitutive leadership, which centred on the exchanges of information and the creation of favoured groups who receive more access and information as opposed to excluded groups or people. There is some evidence of this in English local government case studies, for example Newton (1976:70), Saunders (1979:232) and particularly by Dearlove (1971:147, 1973:159-162), who noted the presence of “insider” and “outsider” groups in and around the council. Dearlove termed the former “helpful” (1973:159) and “proper” (*op. cit.*162) since the groups espoused policies favourable to the administration, presented them in a constructive way or were seen as helpful towards councillors. Equally, the outsider groups were deemed to be more confrontational, or more at odds with what the councillors wanted to achieve. Here it is possible that the executive mayor, as the possessor of knowledge, would be a central figure in linking these groups and trading information and access to other participants to secure delivery of his or her agenda. Elcock (2001:79) investigated trait theory as part of leadership, but none of the other three branches: situational, contingency and constitutive, appear to be featured in other key studies of English local government leadership.

Indeed, case studies have encountered difficulties when attempting to employ and deduce concise definitions of political leadership. Dahl (1961:95-97) was able to

derive only a limited framework from his study of directly elected mayors in New Haven, noting that leaders seek to influence those who can provide resources to deliver their visions. Elcock (1995:548, 2001:17) and Fenwick *et al* (2003:38) cautioned any study of political leadership by stating that leaders are *sui generis*, which would severely limit any generalisable findings. Others have employed a range of methods from the social sciences to interpret local political leadership and these will now be reviewed to determine whether an appropriate analytical framework is available for the study of English executive mayors.

As an alternative, Paige (1977:16) advocated a 'scientific approach' and offered as a definition: *'Political leadership is the behaviour of persons in positions of authority, their competitors, and these both in interaction with other members of the society...'* a definition that begs questions about what a position of authority is and who the competitors are? In the context of English executive mayors this notion of competitors is useful when observing the interaction of mayors and chief executives or other political figures, for example cabinet members or the leaders of political party groups. Yet, these definitions have not established themselves as dominant and other approaches must be considered.

A core conceptualisation of the role of leaders stresses their role as agents of change, as Burns (1978:454) observed:

'True leadership is not merely symbolic or ceremonial...The result of the interactive process is a change in leaders' and followers' motives and goals that produces a causal effect on social relations and political institutions.'

A bias towards producing change is shared by Rao (2003:8) and Leach *et al* (2005:72), however, this is a normative value, which may not correspond to the wishes of the electors and overlooks the possibility that stability is also a legitimate goal (Bowers and Rich 200:217). Hence, Svava (2002b:44) offered: *'government in*

collaborative and focused on accomplishment of common goals', a definition which allows for the avoidance of change as a leadership goal, providing it is the consequence of a deliberate policy choice and not merely a result of inaction or indecision.

Other investigations have noted the range of different attributes associated with leadership, for example the ten variations identified by Kellerman (1984:70), which can be summarised as “what the leader does”:

- a) Focuses on change within the group
- b) Has personality elements that motivate others
- c) Exercises power as dominance
- d) Employs influence
- e) Demonstrates a form of behaviour
- f) Acts as persuaders
- g) Is in a power relationship
- h) Helps groups achieve goals
- i) Integrates the other members of the team
- j) Initiates interactions within the team

These themes demonstrate the multi-dimensional nature of local political leadership and the possible contradictions if applied to executive mayors, for example, it can be asked: when does one stop employing influence - item b - and start persuading - item f - or being dominant - item c? While such ambiguity could be addressed through Boolean-based Qualitative Comparative Analysis (Ragin 1987:86-103), over-lapping categories would not usually be accepted as a valid typology (Sartori 1970:1038).

Another definition of leadership was posited by Morrell and Hartley (2006a:484-485), for whom a political leader was a person acting in the following interrelated contexts:

- democratically elected,

- a representative,
- can be deselected,
- operate in a legal framework,
- derives a mandate to govern from the election, and
- the electorate itself is broad and defined by law.

The above criteria can be observed in English local politics and therefore may be more readily adapted to the study of executive mayors than the list offered by Kellerman (*op. cit.*) above. Nevertheless, a number of questions flow from these criteria, especially regarding elections and the electorate. First, what constitutes a democratic election? One attribute is that most adults should be able to vote (Rawlings 1988:1), but this is compromised if electoral registration procedures fail to register certain groups, for example young people or ethnic minority communities. Registering voters for whom English is not the native language is a significant problem in some councils whose population contains many ethnic groups. A further issue is that a proportion of residents in a local authority area may not be entitled to be registered to vote³³. There is also the factor of turnout and how the number of people who vote in mayoral elections, as well as the number who vote for the winner, is significant in determining the legitimacy conferred by the electoral process.

Second, there is no clear answer to either what a representative is, or who or what should be represented? It is still possible for a person who does not live in a local council area but who works there to stand for election as an executive mayor, but not for them to vote, an idea resisted by one elections officer, Julie Stamp (Lewisham), who stated her opposition regarding extending the registration of electors:

'Because of the registers and the marking of the registers and holding other authorities' registers within polling stations in your area. Or on-line, or however it's going to work in the future, that would just cause many problems.'

33 In the UK an American citizen, for example, may not be registered to vote at local elections, even if that person pays all local and national taxes whereas an EU citizen will, even if they are not tax payers.

If the goal is to achieve representation, *qua* socio-demographic resemblance of the local electorate, this clearly cannot be achieved in a single elected post. The distinctiveness of representatives was stressed by Eulau (1978:51) who argued that seeking such statistical matching is misleading since by the act of being elected, politicians become different to the rest of community. Rao (1994:31) defined representation as having two elements: the ability to act and the consent of those for whom the act is undertaken.

The third point, requiring that a political leader is elected and open to re-election, relates to the dichotomous view of the leader-official relationship outlined by Wilson (1887:210) since being chosen by the people distinguishes the politician from the official. Svara (1990:19-20) has argued that this interplay is far more subtle and may vary according to the skills and relationships between the two most senior people and excluding the non-elected component from leadership could risk omitting a key person from the analysis. The above indicates the significance of understanding representation in order to better comprehend what a local political leader is. Therefore, there will be a more thorough discussion of representation theories in chapter four.

The scope of the above lists is problematic when adapting them into an analytical tool, therefore some of the other core works relating to leadership as defined by possible actions leaders might undertake, have been reviewed and summarised below in Table 5 (p77).

Table 5 Leadership – categories of actions

Sources: as stated below

Source	Categories				
Jones, 1978:28	Define and solve problems	Develop structure that delivers services	Keep group united	Act as ambassador for council	
Stone 1995	Has a purpose, interacts with power	Mobilises resources	n/a	Interacts with followers	
Hambleton 1998:46	Promote image of area	Secure resources	Build partnerships	Address social issues	Link public and council
Filkin <i>et al</i> 2000:14	identifying change	Promoting consensus	developing strategies	defending public interest	taking tough decisions
Elcock 2000:24-25 2001:13, 20	Allegiance Roles	Government	n/a	Governance	
Leach and Wilson 2000 2002:667, Leach, Lowndes and Wilson 2003:16-17	Agenda setting	Task accomplishment	Internal cohesion	External networking	
Greasley and Stoker 2005: 11-12	Change agent	confrontational	Continuity/stability	Community champions	

Reviewing these categories, Elcock's (2000:35-36, 2001:13-20) three-part representation of the role of executive mayors in England, which was derived initially from his study of indirectly elected council leaders, stresses first that leaders need to govern, a set of actions that could cover both generating policy and then securing its implementation. Elcock groups a second set of actions under the term governance and these could embrace working with stakeholders, partners and other tiers of government. Thirdly, there are those actions Elcock termed 'securing allegiance', which would cover both securing the political cohesion within the council to deliver the above as well as the election and re-election to hold the formal office in which to undertake them. Such terms offer a useful framework and will be referred to through

the course of the thesis.

The above frameworks concentrate on the behaviour of local political leaders and produces typologies based on analyses of this attribute. Jones (1978:28) offered a four part list where a leader could be a person who:

- Defines and solves problems,
- Ensures the delivery of services,
- Preserves unity in his party group, or
- Acts as an ambassador for the council.

It has value for comparative studies in that there are similarities with Stone's (1995:96-97) definitions of local leadership, for example, it has a purpose, it mobilises resources towards an end, and interacts with followers to achieve its purpose. Such was the utility of this list that Leach and Wilson (2000:14-16, 2002:667) have adopted and extended it to define political leadership behaviour as a set of choices between four key tasks: agenda setting, task accomplishment, internal cohesion and external networking. The framework is a useful, qualitative, descriptive tool for illustrating how a leader acted in office.

Hambleton (1998:46) adopted a more task-oriented approach and identified five key roles for a local political leader, which were:

- Promoting the image of an area,
- Securing resources,
- Building partnerships,
- Addressing social issues and
- Linking the public and the council.

While these are possibly desirable outcomes and valid alternatives for what a leader might do, it is not an exhaustive list nor does it give an indication why each particular option may be chosen. A similar approach is observed in Filkin *et al's* list (2000:14),

which identified that a leader should recognise change, promote consensus, develop strategies, defend the public interest and take tough decisions. The last element is significant for politicians, as John and Gains (2005:5) noted: *'Democrats want public policies to be responsive to the people, but they also expect leaders to make tough choices, leading opinion rather than slavishly following it.'* No suggestions were offered on how leaders would reconcile taking these tough decisions, which may require being divisive, to also seeking consensus nor how the public interest might be defined.

A slightly different aspect was highlighted by Elcock (2001:20) who stated that a key object of a local political leader is first to obtain power and then to keep it, often by using good advisers. Similarly, Pressman (1972:512) argued that the staff and resources available to US mayors could be an indicator of how effectively they might use their time in office. It is also reminiscent of Machiavelli (1961[1514]:124) urging that a prince choose his personal staff wisely since their competence reflects well on the ruler. Elcock's focus on the retention of office (Elcock *ibid*), allows political leaders to be conceptualised as utility maximisers and their activities would be amenable to analysis through rational choice methods. Linking the concepts of leadership and power, however, does present a considerable challenge towards developing an analytical framework as power itself is a contested term. Bachrach and Barratz (1962:949) and Lukes (2005:28) draw attention to the role of power in keeping issues off the agenda, thereby removing them from observation. While the role of agenda denial could be undertaken by a leader, it offers an almost insurmountable obstacle to scientific inquiry: how could one test a phenomenon that did not occur? There is also the issue of accounting for those issues that have the potential to exist, and so be part of the exercise of power, but which have not yet surfaced (Lukes 2005:28). Hay (2002:171) noted that approaches to understanding power are influenced by the culture from which the researcher comes as Anglophone

academics have tended to focus on power as an operationalised phenomenon whereas European researchers have been concerned about the fundamental nature of power itself. Since the above definitions have not established themselves as a general theory of local political leadership, Table 6 (p80) summarises the different approaches made to define the phenomenon of leadership by comparing observed data with a series of ideal types.

Table 6 Leadership – Descriptive Labels

Sources: as stated in the table.

Source	Categories				
Kotter and Lawrence (1974:105)	Ceremonial, small staff, no agenda	Caretaker	Personality	Executive	Programme Entrepreneur
Madgwick (1978:68)	Garrulous, impotent – a lot of talk	Quiescent consensual		Chairman-Broker – gets business done efficiently	Programme politician – strategic targets/manif esto
Jones, B (1989:7)		Lackey-controlled by bosses, no accountability		Trustee- depends on voters, not <i>elite</i> Delegate-controlled by economic <i>elite</i>	Entrepreneur -free from voters and <i>elite</i>
John and Cole (2000:102-103) and Stewart <i>et al</i> (2004:24)		Caretaker	Consensual facilitator	City boss	visionary
Svara (1990:118)		Caretaker		Broker/ Reformer	Innovator
Mouritzen and Svara (2002:67-68)		Caretaker	Designer	Administrators	Policy Innovator

Table 6 illustrates some of the similarities that have emerged, but the terms employed are not always strictly synonymous. The location of the columns does not indicate a continuum with those on the left being least and those on the right the most desired attributes for a political leader. Kotter and Lawrence's (1974) study of 20 US

mayoralties has been employed as a key reference point since it is held to be a seminal approach to the problem of defining local political leadership (Game 1979:405, Leach and Wilson 2000:13). The data led Kotter and Lawrence (1974:105) to posit five principal categories of mayor – “ceremonial”, “caretaker”, “personality”, “executive” and “programme entrepreneur”. Yet, Kotter and Lawrence's own caveat must be repeated: this list was not intended to be exhaustive particularly since at the time of their research only white, male mayors were interviewed (Kotter and Lawrence 1974:199,229).

Starting with the left hand column, the label “ceremonial” is used to describe a leader, or executive mayor, with few formal tools or powers. He or she could be dependent on only their personal appeal and contacts, which may be very limited (Kotter and Lawrence 1974:106-109). The term “ceremonial” will be retained, but it should not be confused with the civic or ceremonial indirectly elected mayors present in some English local authorities. Madgwick's (1978:68) “garrulous” category in which the leader is prone to erratic or incremental change corresponds with this concept of “ceremonial” in that the leader Madgwick defined would be dependent on personal characteristics to secure any policy delivery.

The next column – “caretaker” - also tends to indicate leaders who are restricted in some way in their ability to exercise control over the council. For Kotter and Lawrence (1974:109) such a mayor had a limited personal network and was only able to impose some of their will inside the council itself. The term “caretaker” may also imply someone who is not empowered to make changes but only to maintain a *status quo* and, therefore, Madgwick's (1978:68) “quiescent consensual” type, a leader who would be prone to inertia or drift, is included in this group. Jones' (1989:7) “lackey” is located here in this category since a mayor or leader who was wholly under the control of an external organisation or persons who dictated policy would be similarly

powerless. Examples of a such a leader might be those politicians who were completely subordinate to the external political party or to the votes of their political party group on the council (Copus 2004b:92-119). The theme of powerlessness had been noted by John and Cole (2000:102-103), for whom the “caretaker” is a leader who possesses less power over the authority and has less scope either for innovation or for delivering his or her policies. Similarly for Svara (1990:119) the “caretaker” is a person, particularly a directly elected mayor, who has little ability to either introduce new policies or ensure their implementation.

The middle column was the most difficult to assign the different examples since Kotter and Lawrence (1974:106-109) conceptualised “personalities” as leaders who tend to work alone with a character and charisma that can, to some extent, overcome the absence of formal powers or institutional control. Its inclusion here may also be interpreted as an adaptation of Weber's (1967:358-362) classic concept of the charismatic leader into being part of an elected formal structure. Moreover, there is some suggestion that English executive mayors were meant to come from non-traditional, non party-political backgrounds, which might imply the institution would be attractive to strong personalities (Leach and Norris 2002:36). A strong party political figure – a “boss” - could also fit into this category since he or she would also rely on personal leadership qualities rather than party rules or formal posts to dominate colleagues (Elcock 1981:439-441), although this character might also derive their power from better knowledge or exploitation of Party rules.

The “executive” column contains those definitions that describe a strong hierarchical form of control hence attributes linked to a leader in this context include being business-like in delivering business with a strong emphasis on continuity and stability (Madgwick 1978:68) or being a goal setter (Svara 1987:209). Svara's (*op. cit.*) conceptualisation of the 'broker' is also an executive type since this person is

characterised as having a strong ability to implement policy, but with limited capacity to initiate it. The “reformer” is also included in this column, although such a mayor would be the reverse of the “broker” in that he or she would be capable of significant policy innovations but less capable of delivery (Svara 1987:209). Its inclusion here reflects similar power relationships rather than common outcomes. Jones' (1989:7) “trustee” and “delegate” have been included here for although the leader is to some extent beholden to outside groups, either the electors or an economic *elite*, that did not appear to restrain their ability as leaders to deliver policy.

The final column, “programme entrepreneur”, contains those attributes that might be associated with the British government's normative vision of strong, executive local political leadership (DETR 1998:18, DETR 1999:13). Such a conceptualisation of leadership is supported both by Burns' description of the “transformational leader” (1978:4, 2003:23) and by Leach and Wilson (2000:29) in their study of English indirectly elected council leaders. The image of a local political leader that would be derived from these descriptions here is of the individual as someone who is not just calling for change but is delivering it. The descriptions themselves also use value-laden terms, which have positive connotations.

As well as these conceptualisations, another significant approach has been Mouritzen and Svara's (2002:67-68) comparative study of western local political leadership, which developed the above classifications into a two-dimensional model. The first axis uses summary labels, some of which are familiar: “caretaker”, “innovator”, “broker” and “reformer” while the second axis addresses how leaders behave in their office: trustee, delegate, partisan and ombudsman. One of the difficulties with any such labels is that the terms themselves carry connotations that may imply that some forms are more desired than others. A second problem is that unlike Kotter and Lawrence's (1974:105) list, which was intended to be open ended,

Mouritzen and Svava's (*op. cit.*) version appears to avoid such extension.

In a similar fashion, Stewart *et al* (2004:24) use a four item taxonomy with “caretaker,” “consensual/facilitator”, “city boss” and “visionary” as the categories. By omitting the problematic “ceremonial” category, this typology does have a stronger relevance when applied to the UK alone. Svava (1990:118) extended the model by combining a four cell matrix of leader types: “caretaker”, “innovator”, “broker” and “reformer”, with two additional axes indicating how effective the leader was in developing policies and implementing them, thereby reflecting and augmenting the complexity of Kotter and Lawrence’s (1974:105) original ideas. Svava’s model (1990:118) is reproduced as Figure 7 (p84), however, by putting the innovator in a cell that scores highly for both effective policy implementation and policy initiation (bottom right), the implication could be that a successful leader would be committed to change.

1 Mayor Council Form

		Effectiveness in implementation	
		Low	High
Effectiveness in policy initiation	Low	Caretaker	Broker
	High	Reformer	Innovator

Figure 7 Model of local leadership
Source: Svava (1990:118)

While the above methods focus on executive mayors' actions, a different perspective was adopted by Jones (1989:7), that considered on whom the mayor was dependent for their power and ability to operate. From this, a typology could be produced in which the key controlling elements are: first, electors whose ballot-box control could render the mayor a trustee; second, political party "bosses" who might reduce the mayor to a lackey; third, the economic *elite* who could turn the mayor into their delegate and fourth an entrepreneur who might be free from any such controls. The above typology may not transfer easily outside the US, where there may be less experience of the dominant, pervasive local political operative known as a "boss" - an individual who does not seek elected office himself but, who through rewarding activists and voters with city jobs, contracts and access to the mayor, can greatly control the electoral process (Stoker 2004:6). In the UK the term "boss", however, has been applied to dominant council leaders, especially those who manipulated patronage and other procedural tools, primarily within the Labour Party but also in the Conservative Party, to ensure control. Elcock (1981:441-443) has noted, however, this that leadership type had become less of a feature in English local government. There is some evidence that the wider adoption of civil service recruitment policies since the Seventh Model City Charter (Frederickson *et al* 2001:10) and better standards of auditing and contracting mean that even in the US the opportunities for "bosses" have almost been eradicated (Frederickson *et al* 2004:49).

In another model Leach and Wilson (2000:10) set leadership in the context of six core propositions as follows:

- a) Leadership is about behaviour,
- b) Behaviour is facilitated by holding a formal office,
- c) Leadership operates in a context of short and long-term goals,
- d) Roles are influenced by politics,
- e) Three key elements: values: tasks and styles, and

f) Role of culture in defining what is expected.

By stressing that leadership is about the leader's actions, Leach and Wilson (2000:11-13) are refuting the notion that socio-economic or other exogenous forces determine leaders' conduct and the outputs of local government, and this appears to favour concepts of agent over structure. In this context, the leader, or executive mayor, is an agent with a sufficient freedom of action to impose his or her will on local government. The relationship between political leadership and holding office, for example as an executive mayor, is relevant as it stresses the hierarchical nature of local government without specifically assigning leadership to a particular office within that structure. Moreover, in an era when local government is part of a wider realm of governance in which there are many persons and organisations, the formal office of a local political leadership provides a legitimacy and accountability that others may lack.

While the literature review has noted the absence of a prevalent theory, however, it does at least define a shared conceptual space in which the debate about local leadership is being undertaken. Kotter and Lawrence's (1974:105) core taxonomy has served as a useful starting point and has also proved sufficiently robust to be used in the UK as well as the US. Before finalising an analytical framework, there is one other dimension that needs to be examined and, if appropriate, incorporated, namely, the notion of political in 'local political leadership'. Such a definition is vital since this thesis is examining the degree to which the introduction of executive mayors has, or has not, made a political difference.

Setting the scope for local political leadership

Although the literature illustrates the breadth of research into local leadership, the key phenomenon being investigated is that of the degree of political change that has

been brought about by the introduction of executive mayors. Therefore, it is necessary to demonstrate why such leadership is “political” and whether, by so doing, any benefit is gained in devising a suitable analytical framework. First, a definition of politics will be investigated. That politics needs to be defined may appear counter-intuitive, however, there is a lack of clear understanding by some participants themselves as to what the term means. Mayor Egginton repudiated a narrow partisan interpretation and offered a definition of politics as a more pragmatic approach to problem solving:

'Politics? I have to say I was never a politician, and I still say to people now I'm not a political...I probably don't understand politics because I can't believe that whichever government are in power, which is the same at local level or national level, ... that there's a good part of a policy that the Tory group have made, there's a good part of a policy that the Labour group have made, and the independents can also put a bit in and the Lib Dems can put a bit in, then we can come out with a policy we can all sign up to and agree globally that this is the best fit for, in this case for the people of Mansfield.' (interview data)

For Mayor Winter, by contrast, politics could be explained in partisan terms with four references to his political party in a single sentence:

'You know, that we work within the context, of a Labour government, and that, as a Labour mayor you would expect to see me putting into practice my Labour, our Labour government policies and strategies in a local context.' (interview data)

Paul Walker, Hartlepool's Chief Executive Officer also did not readily separate politics from partisan politics:

'I mean local political leadership I think is possibly getting out-dated, because it was always assumed that the local electorate would appoint or elect someone from a political party. And that's less and less the case these days...so I think the term isn't quite right these days because it should be something along the lines of democratically elected leadership rather than political.' (interview data)

Commencing from an historical, theoretical perspective, Aristotle (1976:64) noted the over-arching nature of politics by stating: *'The science that studies the supreme Good*

for man is politics'. Such an aspiration might be deemed excessive for executive mayors, especially given the dominance of central government in the British political system (Dicey 1959[1908]:35, Heseltine 1987:131) and its increased use of legislation to direct local councils, especially since the 1980s (Loughlin 1996a:88). Nevertheless, Aristotle's definition does embody the notion of a political figure as someone who serves a greater cause than their own.

A more practical approach to defining modern politics was undertaken by Crick (1982:21) who emphasised the role of politics as being able to give a proportionate voice to the competing groups within society and, from that, to distil public policy outcomes that would not alienate citizens. Above all, he warned that politics was often concerned with detail, complexity and the need to find compromise when there was no obvious solution. Hence, Crick (1982:35) offered: *'politics is a way of ruling divided societies without undue violence.'* Moreover, the need to provide a solution that avoids excessive civil strife may involve the policy maker pursuing different courses of actions to those their citizens desired, which brings into question their role as representative leaders (Crick 1982:129). Stoker (2006:7) expanded on Crick's conceptualization of politics as a means of finding the most acceptable, rather than perhaps an economist's or idealist's optimum solution saying: *'Politics, especially in democratic societies, enables people to compromise and reach an agreement. It is a means to orderly and legitimate self-rule.'*

The above definitions resonate in part with government's own objectives, particularly the 1998 Green Paper, which said:

'Political leadership translates the wishes of the community into action, taking the hard choices about resources and priorities, building coalitions and working in partnership across all sectors of the economy to achieve shared aims.' (DETR 1998b:31)

The 1998 White Paper added: *'The responsibilities of the executive will be to: translate the wishes of the community into action...'* (DETR 1998g:25). Furthermore, since these actions involve decision making, the government also asserted: *'Political leadership can be performed most effectively and openly where it is clear who has the power to take the decisions.'* (DETR 1998b:31).

Therefore, the thesis will proceed with Stoker's definition: *'Politics, especially in democratic societies, enables people to compromise and reach an agreement. It is a means to orderly and legitimate self-rule.'* (Stoker 2006:7). Being able to compromise also has implications for executive mayors as representatives able to adapt to changing information and not delegates bound to a manifesto or a political party directive, a theme that will be explored in more detail in chapter four. The definition is appropriate as it augments a key Nineteenth Century advocate of local government, Joshua Toulmin Smith, who wrote:

'Local Self-Government is that system of government under which the greatest number of minds, knowing the most, and having the fullest opportunities of knowing it about the special matter in hand, and having the greatest interest in its well-working, have the management of it, or control over it.' (Smith 2005[1851]:7),

As well as this definition, two conceptual models explaining local political leadership have been developed. Berg and Rao (2005:9) suggest that political leadership lies at the centre of an interconnected web between layman politicians, accountability, professionalism and recruitment. Their model is reproduced as Figure 8, (p90).

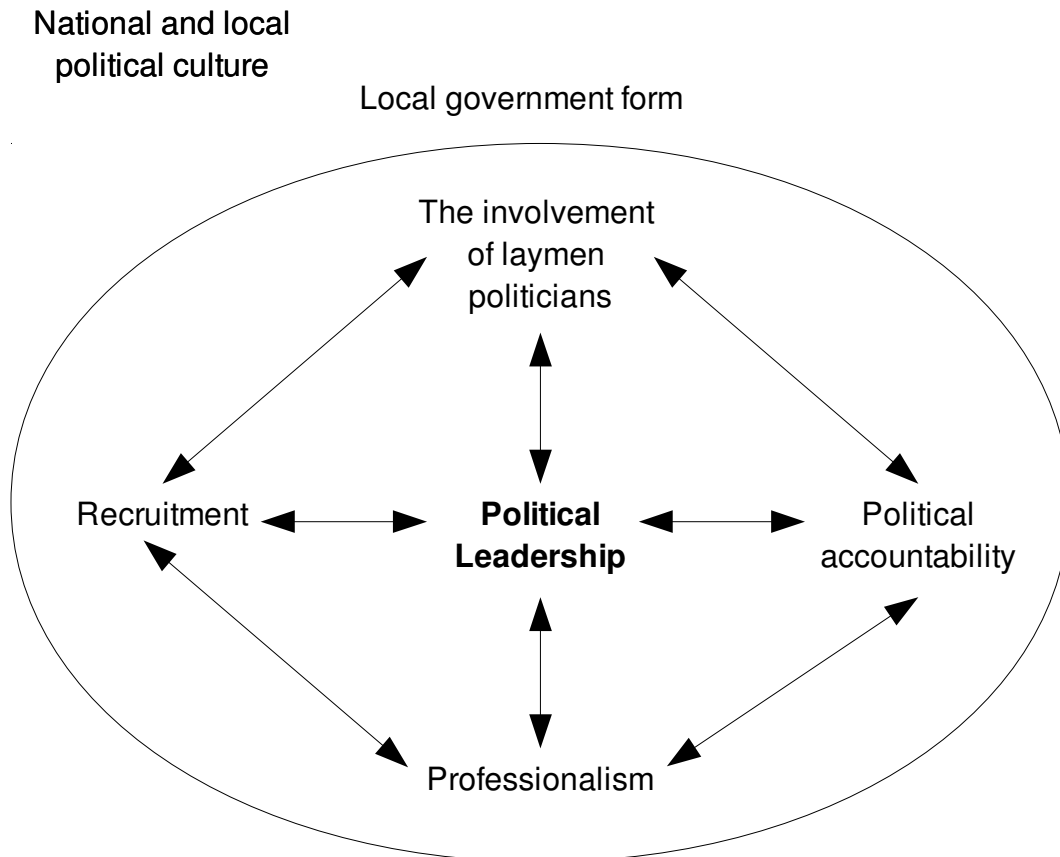


Figure 8: The Structure and the context of local government forms

Source: Berg and Rao 2005:9

The conceptual map is useful in the English local government context since it enables executive mayors to be placed at the centre of competing demands of being a leader and a representative. Since executive mayoral posts are occupied by full-time politicians rather than traditional councillors who would have met Berg and Rao's (*op. cit.*) definition of the "layman" politician, a model that accounts for this professionalisation is needed. Leach and Wilson (2000:9) offer an alternative that illustrates how a leader's personal agenda and political skills and the political and organisational culture must accommodate each other. Their conceptualisation is reproduced as Figure 9 (p91).

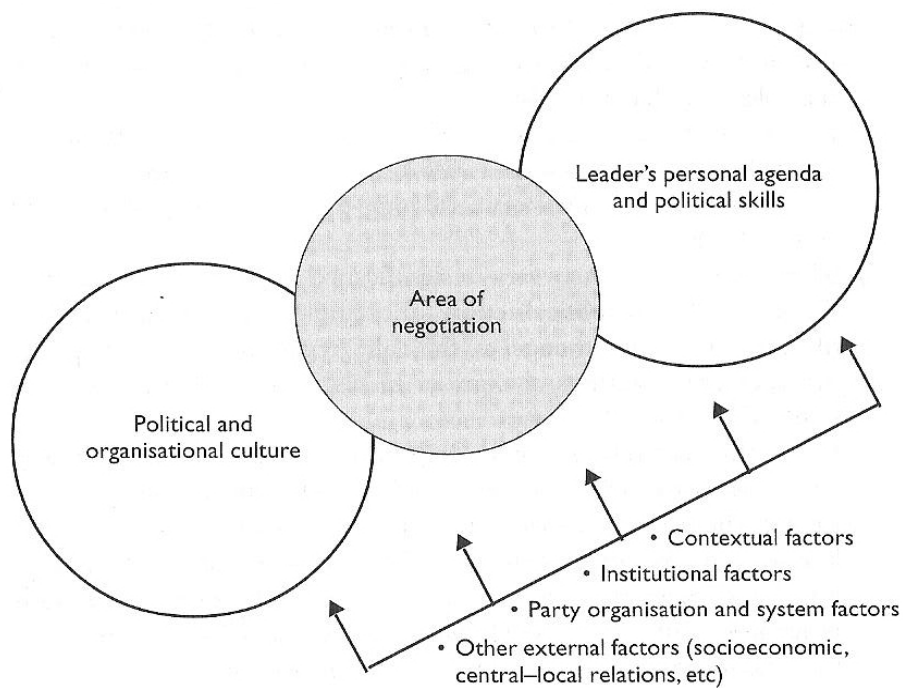


Figure 9: Model of the Leadership Context

Source: Leach and Wilson (2000:9)

In Figure 9 the four common factors of context, institution, party organisation and system and other exogenous elements act on each of these circles to influence leadership behaviour. The model is a useful starting point since it illustrates that executive mayors are sometimes principals in control of their own destiny but at other times they are agents who are constrained by structures. Therefore, the literature reviewed confirms that there is a phenomenon of local political leadership that may be applied to measure the political difference made by executive mayors. From these theoretical models, a synthesis will be developed from some elements that will operationalise how this change can be measured.

Conclusion

As the first stage in evaluating whether introducing executive mayors made a change in English local government, the term “political” was defined using Stoker's (2006:7) concept of providing for compromise and self-government. Following this, the thesis will employ the three categories defined by Elcock (2001:105) namely governing (internal operations), governance, and survival in office as well as the the four categories outlined by Leach and Wilson (Leach and Wilson 2000:13, 2002:667, Leach, Lowndes and Wilson 2003:16-17), which are in turn derived from Kotter and Lawrence (1974:105) namely the degree to which executive mayors have been able to exert more control over:

- Agenda setting,
- Task accomplishment,
- Internal cohesion, and
- External networking.

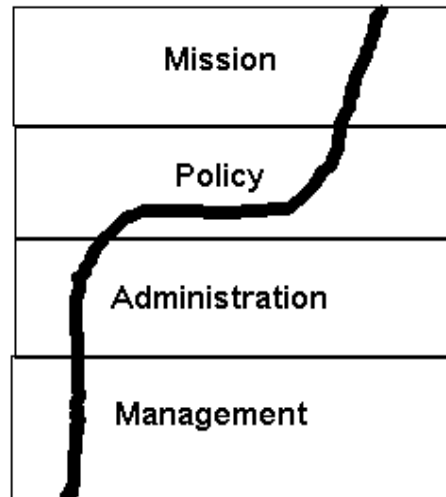
These concepts all represent aspects of the efficiency, transparency, accountability model suggested by government (DETR 1998g:19), which in turn are solutions to the three deficits: the lack of leadership, accountability and legitimacy. An executive mayor demonstrates efficiency by using leadership to set the agenda, secure internal political cohesion and accomplish tasks. By demonstrating this efficiency, having a visible leader provides transparency and accountability in that residents and other partners in local governance can identify who has made the decision. Finally electors themselves can identify what actions have been taken and are better able to hold the elected mayor to account at the ballot box, thereby enhancing legitimacy.

The next task is to operationalise these concepts to allow for measurement and comparison. First, the power and decision-making relationships within the mayoral authorities will be investigated. To permit a longitudinal evaluation the

conceptualisation of the relationships between the most senior politician and his or her official opposite number devised by Svava (1990:20), will be employed and is reproduced as Figure 10 (p94). The notion of a dichotomy can be dated back to Wilson's (1887:210) findings in the late Nineteenth Century. Svava (1990:*op. cit.*) identified this space as containing mission, policy, administration and management, which represents a zero-sum contest between the elected member and the appointed official, as one's influence increases, the other's must diminish accordingly. The model will be used to help determine the degree of change within individual councils.

Given that executive mayors operate with a cabinet and there remains the possibility of collective decision-making, along with the possibility that the Chief Executive may be acting as the leader of an officer team, the labels on Svava's model may need to be amended if the data suggest this would permit greater insight. The left hand side, therefore, would be headed "mayor and cabinet's" sphere of dominance while the right hand side would be "CEO and senior officer team's" sphere. It permits broad comparisons with historic interpretations of the council's decision making process, for example Saunderson's (1979:218) flow chart based on his studies in Croydon demonstrated the dominance by officers of the process. Data for this model will be obtained from interviews with mayors and chief officers.

Elected Official's Sphere



Administrator's Sphere

Figure 10: Dichotomy and duality model of local government leadership

Source: Svara (1990:20)

Another aspect of power related to the complex interrelationship between the non-executive councillors is the relationship between the executive mayor and the chief executive, which has been conceptualised as an arch, a metaphor that was developed by Mouritzen and Svara (2002:47) from Self's model (1977:150). Yet, it must be noted that there is a third group of participants in local authorities – the non-executive councillors. Therefore, the model needs modification for application within English local authorities, since the role of councillors must also be taken into account. Hence, the relationship is represented as a triangular one with the executive mayor, the chief executive officer and the councillor in each corner. Possession of power is represented graphically by distance, that is, the further power was from each of the three corners, the less influence or authority anyone would have over it. Egner and Heinelt (2008:529) referred to the inter-relationship of the mayor, senior officers and

and the council, however, their multi-national study employed quantitative data. The conceptual diagram was used as a prompt to gather evidence during interviews. It is also suitable for employment both within a single local authority to plot longitudinal change as well as being used as the basis for comparison between the various English mayoral councils. Figure 11 (p95) demonstrates the final model, as revised from the evidence, and will be used to illustrate any political differences brought about by English directly elected executive mayors.



Figure 11: The Balance of Power in an English local Authority: A Representation of the balance of power in mayoral local authorities

Source: Researcher's model.

A third element, which can be measured against interview and observation data, will be to construct a flowchart to map the public decision-taking process in mayoral cabinets and to infer from that, with reference to the literature, what decision-making process is present. Such a graphical representation will permit three types of comparison, firstly to measure change within a single authority, secondly to reveal differences or similarities between mayoral councils, and finally a comparison with the

government's normative model to determine whether directly elected mayors were producing a difference in the politics of local government decision-making. In particular, evidence will be sought of individual or collective decision-making as this will reflect the degree to which executive mayors are acting as executive leaders. The flow charts are developed in chapter seven.

Given the emphasis placed on political context in defining political leadership (Leach *et al* 2005:3) the electoral history for each mayoral authority will be reviewed in Chapter Five to note any any changes in political party's representation on mayoral authorities since the change of executive arrangements. By doing this a more thorough picture of the operation of the interrelated elements of democracy, representation and accountability may be observed and assessed. For example, it is possible that having an executive mayor could enable an unpopular national political party to remain in charge of a borough because of a successful incumbent mayor. Equally, winning the mayoralty could be followed by a political party or the number of independents succeed in increasing its or their representation. The presence or absence of such changes is evidence that introducing executive mayors had made a political difference.

From the above discussion, it can be seen that the office of executive mayor, and the context in which the mayor must deliver leadership, can be represented as a series of tensions within a range of parallel, yet connected, dimensions. The model builds on Newman's (2001:33) analysis of how public policy has to function within competing and contradictory expectations. The framework's final element involves returning to the researcher's normative model, figure 6 (p68), which is built from an analysis of the government's own expectations and, based on the data, plotting how closely executive mayors have matched those expectations. From this a new model is developed as figure 12 (p97), which can replace the government's perceptions and

serve as a guide for future executive mayors and councils that choose to adopt this form of executive structure. The summary dimension is conceptualised as a continuum with the “weak” mayor at one pole and “strong” mayor at the other. Beneath this dimension the subsidiary axes will be used to gather evidence that will support the location of an individual mayor at a particular point on the continuum.

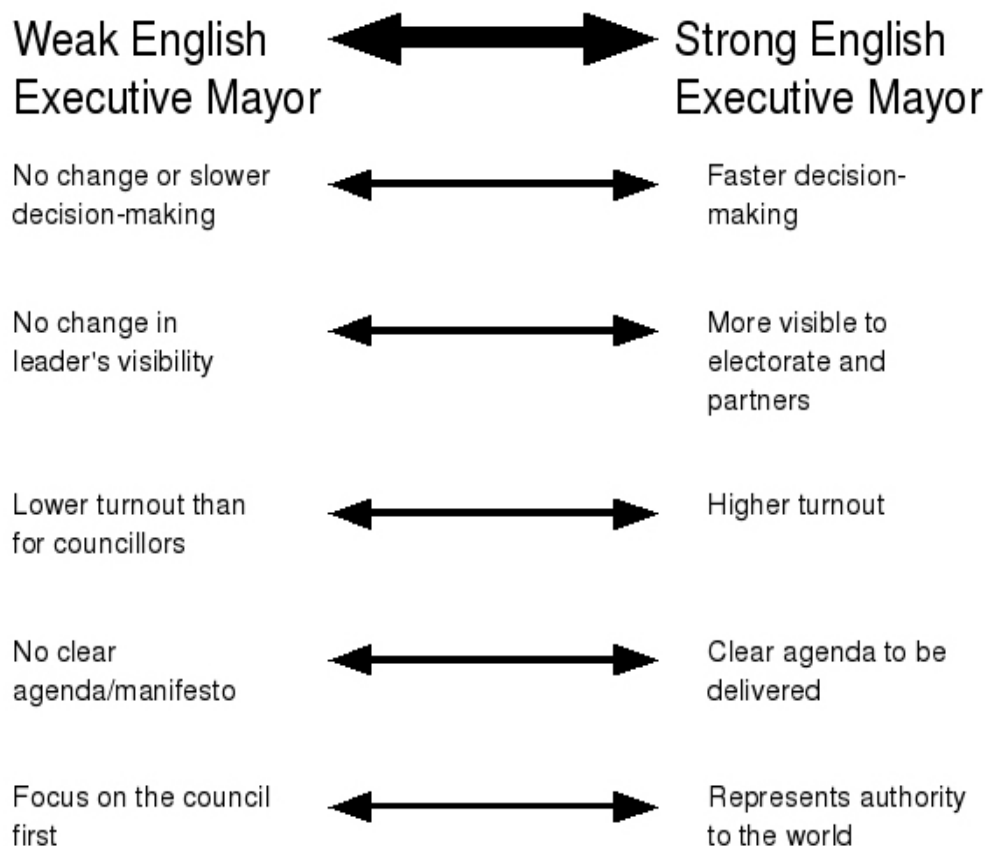


Figure 12: Comparative Framework for English Executive Mayors

Source: Author's own model

Nevertheless, for all the emphasis on leadership, the fact that executive mayors are directly elected by all the eligible adults in a local authority area does introduce another new phenomenon into English local government. Several of the leadership theories cited above did pay attention to the impact that being elected might have on

a political leader (Elcock 2000:24-25, 2001:13-20, Leach *et al* 2005:59-67, Morrell and Hartley 2006a:485-485). Stoker's (2006:6) definition of politics introduced the notion of politics as an extension of self-government, which is itself a development of Smith's concept of local-self government (Smith 2003[1851]:7). Therefore, it is appropriate in the next chapter to consider theories of representation, since these address the political difference directly elected mayors have made through addressing the accountability and legitimacy deficits.

CHAPTER FOUR: THE PEOPLE TO THE BOROUGH - EXECUTIVE MAYORS AND THE CHALLENGE OF REPRESENTATION

Introduction

At first, the need to study representation may appear counter-intuitive as Prime Minister Blair (1998:16) had stated: *'In short, we need to separate the executive from the representative role.'* Such an assertion implies that leadership theories alone would provide an adequate framework for the question: what were the political differences made by the introduction of directly elected mayors in England? The dichotomous approach to leadership and representation was emphasised again in the 1998 White Paper:

'The executive role would be to propose the policy framework and implement policies within the agreed framework. The role of backbench councillors would be to represent their constituents, share in the policy and budget decisions of the full council,' (DETR 1998g:19).

It might be deduced from this that there is a clear dichotomy for executives, such as a directly elected mayor, who would no longer have a representative function whereas previously in a council-cabinet system even the leader of the council had to maintain a dual function of both being an executive and a representative. Yet, the same document allowed for executive mayors to be representatives by stating:

'The role of the executive will be to exercise political leadership on behalf of the council and to represent the area and its community on the wider stage.' (DETR 1998g:25).

The statement restores the dualistic nature of locally elected political leaders. Furthermore, the fact that the executive mayor is directly elected, and the impact this will have on both incumbents and challengers, cannot be ignored and can be best assessed through representation theories.

Three years after the first English executive mayoral elections, the government returned to the theme of representation in *Vibrant Local Leadership*, which outlined roles for local political leaders including acting as an advocate for local people and being accountable for the service delivery choices made (ODPM 2005:7). The first role, advocate for local people, could be a repeat of the government's earlier urging for the local political leader to be the council's spokesperson (DETR 1998g:25). There is a second possibility, which implies that the leader is taking on the role of the local ombudsman whose duty it is to be the people's advocate to the council, that is also a representational function. The *Strong and Prosperous Communities White Paper* (DCLG 2006:49) classified representation with leadership as governance activities that were being undermined by the framework in which local authorities operate. It stated: '*Local government derives both its representative mandate and its leadership legitimacy from its democratic mandate*' (DCLG 2006:61). The changing emphasis in White Papers indicates that the government had recognised that the executive role could not be encompassed by the language of "leadership" alone and it is necessary to seek an additional theoretical framework to explain the difference made by directly elected mayors.

Since the local political leader is meant to be a strong, powerful actor producing change in the locality, it is vital to understand from where he or she derives that mandate for change, how executive mayors derive their legitimacy. The concept of legitimacy is also related to the need for executive mayors to be held accountable for their actions, an action that is exercised through the ballot box. Cllr Paul Brickell, a

former chair of Overview and Scrutiny in Newham, noted the two dimensions of accountability:

'...the obvious answer is that the mayor should be accountable to the people who elected him or her. So he is therefore accountable to the electorate of the borough. Also the mayor, however, is accountable to whomever selected him or her. So, if that is the political party, then a mayor is clearly accountable to that.' (Cllr Brickell, interview data)

In Doncaster the leader of the Alliance of Independent councillors, Cllr Margaret Pinkney, said: *'He [the mayor] should be accountable first to the members who were duly elected and then to the people. And it's the members who should bring the concerns of the people to the mayor.'* Cllr Pinkney's opinion was the reverse of Cllr Brickell as her priorities assert elected members' primacy.

These activities, election and accountability are central themes in representation and are core political activities, therefore, representation relates directly to the question of what political change has occurred as a result of introducing directly elected executive mayors in England.

Furthermore, the challenges faced by English local government and the innovations that have occurred since 1997 have paralleled reforms in a number of other countries, which faced similar problems of representation namely: declining polls, concerns over service delivery and questions over the the role of local government itself. A number of European countries and regions have also investigated innovations or modifications to improve representation and accountability, including the introduction of executive mayors (Berg and Rao 2005:10-13), which suggests that representation, as practised by English executive mayors, deserves greater consideration. Larsen (2005:201), however, argued that the introduction of executive mayors marks a move away from a parliamentary model of government towards presidentialism. Logically, if presidents can be seen to represent as well as leading their countries, so the position

of executive mayor should involve balancing both of these tasks.

The chapter's first section provides a broad overview of theories of representation set out in a chronological context so that development or changes of the concept can be evaluated. In particular, some attention will be paid to the Roman Catholic Church, which was among the pioneers in Western Europe in debating issues of how to elect a single individual for an executive post. The choice of this religion appears to be counter-intuitive as the religion and its believers tend to be associated more with a doctrine of obedience within a formal hierarchy (Nadeau and Blais 1993:557). The section will also consider how the concept of who ought to be elected as a representative has adapted over time from being the “better” candidate to the most preferred one.

The second section will consider the common typologies and definitions of representation that have emerged from the literature. Possible conflicts between the goals of democracy or government, as well as the role of political parties, the nature of community and the problem caused by elections will also be investigated.

In the third section the more abstract, philosophical definitions of the concept of representation as opposed to its direct relationship to governing will be explored. Here, special emphasis will be placed on Pitkin's (1967) work and her attempts to disaggregate the concepts of representation and liberal democratic elections. It is necessary to understand the theoretical value of representation in its own right without conflating the concepts with the mechanisms of representation, especially the technicalities of individual electoral systems (Judge 1999:2).

The final section integrates representational theories with the models of leadership that have already been used to describe executive mayors in chapter three. The

analysis will commence by investigating Ancient Greek concepts of representation, which are relevant since they have been a core feature of subsequent developments of political and representation theory.

An Overview of Attitudes towards Representation The Ancient World

The role of Ancient Greek cities in theories of representation may appear contradictory since for some cities, especially Athens, there was a direct democracy in which the equality of citizens was so firmly established that selection for certain civilian and military posts was by lot rather than election, on the basis that one citizen was as good as another (Aristotle attrib. 2002:100). Selection covered administrative roles such as supervisors of taxation, managers of the markets and prisons, those responsible for religious matters and the performance of sacrifices, magistrates and also to more political bodies namely *The Council of 500* and its “sub-committee” the *Prytanis*, which was responsible for the organisation of *The Council's* agenda (Aristotle attrib. 2002:89-100). As Aristotle (1981:187) stated, ‘...the citizen body of a state is sovereign, the citizen-body is the constitution’.

Selection alone was not sufficient to enable a person to take office as all officials had first to be scrutinised by the general citizen assembly (Aristotle attrib. 2002:106). After completing a term of office, a citizen could also face ostracism – a period of exile. These institutional devices indicate a strong system of accountability, albeit one that was open to abuse with leaders or commanders being forced into exile for being successful as well as for failing in their missions. Ancient democracies are also associated with the existence of a public space in which all citizens could be accommodated to facilitate debate and deliberation without the need for representation since all citizens and opinions were present in one place – the

Athenian *Agora* (Sartori 1987b:291-2).

Plato, Thucydides and Aristotle all criticised the Athenian democratic system. Plato's concern was that a democracy, while appearing to grant rights, would create a poor society since, having removed duties, *'...there's no compulsion either to exercise authority if you are capable of it, or to submit to authority if you don't want to;'* (Plato 1974[375 BC]:376). As an alternative form of government ideal rulers would be philosopher kings - guardians who through breeding, education and philosophy are equipped to rule, and were to do what they deemed best for the people that would be associated with them (Plato 1974[375BC]:128). In one sense these guardians would act as representatives in that they would seek to use the love of wisdom to discover what was the best for the community as a whole. Equally, they would be acting as leaders in that these decisions for the good of the whole need not necessarily be the "popular" ones.

Thucydides used the Athenian leader Pericles' speeches, particularly the funeral oration to set out the virtues and problems of Athenian democracy. For example, the importance of participation is stated thus: *'...we do not say that a man who takes no interest in politics is a man who minds his own business; we say that he has no business here at all.'* (Thucydides 1954:147). One of the main weaknesses of such a system was that citizens might be inconsistent and incapable of adhering to a course of action if it was not immediately successful. After one defeat Pericles complained about his fellow citizens: *'...you took my advice when you were untouched by misfortune, and repented of your action when things went badly with you'* (Thucydides 1954:159). Athenian democracy was also beset by the problem of free riding, of a majority benefiting from the labour and attention of a few: *'For those who are politically apathetic can only survive if they are supported by people who are capable of taking action'* (ibid).

Aristotle was negative about democracy saying:

'The corresponding deviations are: from kingship, tyranny; from aristocracy, oligarchy; from polity, democracy. For tyranny is monarchy for the benefit of the monarch, oligarchy for the benefit of the men of means, democracy for the benefit of the men without means. None of the three aims to be of profit to the common interest.' (Aristotle 1981:190).

Although the emphasis in the Athenian model of polity is on individuals participating as a civic duty rather than discharging their responsibilities through representation, the use of management committees noted above does indicate that the scale of the political unit might require some intermediary body. How that body might be chosen or elected is a debate about concepts of representation that will be discussed in the remainder of the chapter.

Elements of direct democracy as noted in Ancient Greece were retained in Republic Rome, especially the existence of the *Forum* as a public space. One particular innovation was the requirement for the holders of some offices, especially the two consuls elected annually, to gain the consent of the entire population and not just endorsement from the senate or wealthy citizens. Hence, there were the beginnings of a representative democracy that is more familiar to the modern era. A colourful illustration of this process is given by the historian Plutarch (1965:27-28) and later dramatised by Shakespeare (1955 [c1608]), detailing the fate of a seasoned warrior, Coriolanus, and his bid to be consul. The significant part of these accounts for the thesis is that a person who wished to be a political leader was denied that office because he failed to secure a mandate from those whom he wished to govern. The development of leaders as elected representatives, however, did not survive the transition of Rome from a Republic to an empire and the next major debates about the role of representation occur in the Middle Ages.

Medieval Europe

Given the dominance of monarchical forms of rule in Europe during the Middle Ages, it is possible to overlook Medieval Europe and the role of the Roman Catholic Church in developing notions of representation. Judge (1999:5-6) moves from his analysis of the Ancient World straight to the Enlightenment Period. Held (1987:37-38) suggested that from the writings of Augustine in the Fifth Century AD to Thomas Aquinas and his reinterpretation of Aristotle in the Thirteenth Century AD, the Roman Catholic Church had redirected political discussion from the *polis* to theology, hence this era was of less relevance to the development of democracy. Elcock (1976:85) suggested that most churches were authoritarian, especially the Roman Catholic Church³⁴. Yet, during this period of history three main questions were debated within the Church: first, to whom was the ruler responsible? Second, how was the ruler elected? Third, what was the role of the people in electing a ruler or a representative and in holding those elected to account? These questions are relevant since they summarise the government's goals in introducing the new political office of directly elected executive mayor (DETR 1998g:10, Stoker *et al* 2007:9). They also emphasise the role of leader *qua* representative and not just as a separate executive.

An underlying theme of the Middle Ages was the continued distrust of democracy as a form of government. Bacon (1988[1292]:42,43), restated Aristotle's concerns:

'In the first [book] of the Metaphysics Aristotle posits the opinion of the multitude and the testimony of the many as a cause of our errors ... Nothing involves us in greater evils than the fact that we are disposed for rumour, convinced that the best things [are those] which have been received with the greatest approval.'

Aquinas expressed a similar view writing: *'...unjust government can be exercised by a*

³⁴There is some research from Canada in the 1990s that tends to confirm that Roman Catholics are less committed to representative democracy than Protestants (Nadeau and Blais 1993:557)

great number, and it is then called a democracy' (D'Entrèves 1959:4). Nevertheless, there was recognition that the majority could provide a just government too, that form being known by Aquinas as a "polity" (Aristotle 1981:190 , D'Entrèves 1959:5) while Marsilius (2005[1324]:69) argued that the scrutiny of draft laws by a greater number of people would help to improve the quality of legislation. There is also an acknowledgement that the lack of good candidates can undermine elections (Marsilius 2005[1324]:109). Ethical concerns, similar to those that troubled the Ancient Greeks, remained and Marsilius (2005[1324]:105) noted the danger of abuse of power through '*...lack of prudence, evil morals, or both; add to these, especially when an individual has hope of doing evil with impunity...*'. Such arguments are still contemporary with concerns about the lack of candidates in local elections (DCLG 2006:8, 2008:106), the calibre of those seeking election (DCLG 2006:10) and fears about the over-concentration of power in a single person (Clarke *et al* 1996:71, Rao and Young 1999:60, Wilson and Game 2002:106).

The Roman Catholic Church also had to address the concepts of responsibility and accountability (Pitkin 1967: 241). For example, the Dominican Order of which Aquinas was a member, developed a constitution in which the head of each monastery was both elected by his fellow monks and was accountable to them. He could be relieved of his duties – "absolved" – if those he served felt he had not acted in the best interests of the order (Galbraith 1925:113). Requiring a ruler to be accountable to those who were ruled marks a deviation from the prevailing Benedictine rule that held that the Abbot or Prior was supreme and unquestioned. There was also a recognition that a single legislature, however it was elected, was not sufficiently representative of all views to make changes, hence needing an item to be debated three times to three different memberships (Galbraith 1925:37). Aquinas applied these concepts in secular society too arguing that a good ruler should provide for the welfare of the ruled, not just for himself (D'Entrèves 1959:6).

In this period there were important advances in the methods of administering elections. Whether it was electing priors or popes, the Roman Catholic Church also had to deal with the problem of developing electoral systems that could represent the will of a community and avoid dangerous schisms or disputes such as those that might occur if a number of candidates could claim to have been elected. It is during the Middle Ages that a majoritarian system is developed using numbers as dispassionate proxies for support, as Pope Gregory X declared: '*...not zeal to zeal, nor merit to merit but solely numbers to numbers are to be compared*'³⁵ (Colomer and McLean 1998:11). The Pope's statement has implications for representational theory as it allows the depersonalisation of an elector's choice for a representative while providing, hopefully, unequivocal results about who should be chosen, without the impasse that could arise where unanimity was not achieved. The problem is that the complex notion of who, what, or where is being represented is still unresolved and answers to this notion begin to be developed more substantially from the Nineteenth Century onwards.

The Post- Enlightenment and Early Victorian Eras

The problems of restraining power that were present in Medieval political thought remain significant in the Post-Enlightenment and Victorian eras although different attitudes developed. Hobbes stressed the need for a supreme power to impose order and the citizens' subordination to it saying:

'The only way to erect such a Common Power as may be able to defend them from the invasion of Forrainers (sic), and the injuries of one another...is to conferre all their power and strength upon one Man, or upon one Assembly of men...' (Hobbes 1981[1651]:227, Held 1987:49).

35 *Non zeli ad zelum, nec meriti ad meritum, sed solum numeri ad numerum fiat collatio*' (Colomer and McLean 1998:11).

For Locke, however, the goal was a society that protected the individuals' private interests as his normative model of society was in which men were in:

'...a state of perfect Freedom to order their Actions, and dispose of their Possessions, and Person as they think fit...without asking leave or depending upon the Will of any other Man.' Locke (1963[1690]:374).

One consequence of this might be that a society is impelled to adopt a direct or participatory democracy since it is impossible for another person ever to represent accurately the views of others (Held 1987:75). Yet, Edmund Burke, one of a number of practising politicians who were also political theorists such as de Tocqueville and John Stuart Mill, broadened the debate by developing an enduring notion of representation from his 1774 address to electors in the City of Bristol, in which he saw the role of Member of Parliament as serving the whole nation by declaring:

'You choose a member, indeed; but when you have chosen him he is not member of Bristol, but he is a member of Parliament. If the local constituent should have an interest or should form an hasty opinion evidently opposite to the real good of the rest of the community, the member for that place ought to be as far as any other from any endeavour to give it effect.' (Bredvold and Ross 1960:147)

Burke was repudiating the conceptualisation of a representative as a mere delegate (Eulau 1978:47). If Burke's assertions are accepted, it implies that, by analogy, a councillor should put the interests of his or her local authority first and not their ward. For executive mayors, the challenge of who or what to represent eases a little as he or she is chosen across the entire local authority area, however, it does imply that the mayor should seek to represent the whole of the local authority and not just those areas or people who voted for him or her.

Shortly after Burke's comments in England, the newly formed US experienced an intense debate about whether the new country should be a democracy or a republic. For Madison, one of the authors of the constitution, there was a great fear that a

democratic system would allow for the tyranny of the majority and so the main constitutional aim of a representative republic was to provide for the protection of an elected minority who would: '*...refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country...*' (Madison *et al* 1987 [1787]:126). Such a system would also defend rights and property ownership that a democracy would jeopardise (Madison *et al:ibid*). What is of particular note is how the constitution combined different concepts of representation with the states each electing two senators, regardless of size, while the House of Representatives is based on the equal division of seats amongst the population and the President is indirectly elected from a college of electors. The US model was soon subject to challenges notably the Jeffersonian approach, which emphasised the town meeting and the participation of all local citizens in the decisions that effect them (Wolman 1995:136). Such an approach could be closer to the Ancient Greek model and implies also a rejection of a representative system.

In Britain, the theorist and politician J S Mill stressed two inter-related themes, first he was concerned about the growing power of the state, and second he asserted that even when granted the vote, citizens could not abnegate their interest in how government was exercised unless they wished to enter a state of tyranny (Mill 1991[1861]:225). Just as Pericles of Athens stressed the importance of participation (Thucydides 1954:147), so did Mill emphasise the necessity of citizen involvement saying: '*...how can institutions provide a good municipal administration, if there exists indifference to the subject...*' (Mill *op. cit.*). Furthermore, Mill also advocated local government as a key body for educating and training citizens in how to exercise their roles of participation and voting and thereby learning how to choose representatives as well as to act as elected governors (Mill 1991:415-417). As a direct contrast to the Millsian notion of the representation of the individual, this period also witnesses the

first publication of the Marxist doctrine that assumes a common interest is shared amongst members of the same socio-economic class, an interest that is often rendered into a dichotomy of workers and capitalists. Once the revolution has occurred and capital defeated, however, it would appear that the replacement system would be free from representation as the ruling class would be the workers themselves (Held 1987:120). What is central to the Marxist concept is the dominance of socio-economic class to which the individual is no more than an agent and completely lacking in free-will.

Modern Concerns: Microcosm or Individual?

By the Twentieth Century, perhaps as a consequence of the availability of ever more statistical data, the modern era has focused on representation *qua* resemblance, that the elected body should be a microcosmic recreation of the society from which it was drawn. One of the dominant themes observed in the UK government documents on local government identified by the Maud Committee (Maud 1967:135-136), is the need for councillors to represent the local population in a socio-demographic way (Gyford *et al* 1989:44, DETR 1998g:28, ODPM 2005:22, DCLG 2006:50). In its local government White Papers, a high emphasis was placed on the microcosmic aspects of representation:

'The Government's consultation paper on local democracy and community leadership quoted recent research which makes clear that the current body of councillors is not representative of the population as a whole.' (DETR 1998g:28).

A similar concern about the lack of women and members from ethnic minorities groups was stated in a subsequent policy paper (DCLG 2006:50). Yet, if it is desired that a governing body should resemble society, one solution could be a return to the Athenian notion of selection by lot. In this case it would be assumed that since all citizens are equal, any variations would be balanced out and those selected are as

capable of representing the whole population simply by their selection as those who were not chosen. Within the natural and social sciences, random selection is essential for providing representative samples for statistical analysis (Hinton 1995:4), which implies that a sufficiently large, randomly selected legislature would be representative too, in microcosmic terms.

For some observers, including central government, representation appears to be a synonym for microcosmic resemblance and the failure of councillors to be more like their electorate has been used to support government criticisms of local authorities (Stoker 2002:31). The 1998 White Paper stated:

'As a body, councillors do not reflect the make-up of their community - only a quarter are women, only half are employed or self-employed and ethnic minorities are seriously under-represented.' (DETR 1998g:10)

Nevertheless some studies have found more diversity amongst local councillors than Members of Parliament (Wahlberg *et al* 1994:28). The justification for an elected body to be more like the electorate itself is that it may confer legitimacy on the institution since being able to participate in an institution was urged by Aristotle as a prerequisite for defending it (Aristotle 1981:135 Judge 1999:37). By implication, therefore, a more representative body is one in which a greater proportion of the people participate, albeit indirectly through their elected representatives. Glassberg (1981:23) and Goss (1988:151) argued that councillors who resemble their electors are more likely to adopt policies instinctively that meet their constituents' needs. The normative model of representation this implies is one in which the policy choices of electors are both uniform and consistent, in other words, electors do know what they want and apply utility maximisation to decide who should represent them. A complication within English local government and a challenge for determining the political change brought about by executive mayors is the role of political parties. The impact this has on the theory and practice of representation is considered in

more detail later in this chapter and in chapter five.

There are a number of concerns, however, about applying microcosmic standards. First, whatever groups are chosen to be represented at a particular time may not be the groups that need to be reflected at a later point thereby forcing more resources to be expended on organisational change rather than on government (Beetham 1996:45). There are further problems in that some groups may eschew political participation and representation as was the case with some feminist groups in the 1960s (Judge 1999:35), hence organisational or institutional change might be ineffectual. Equally, there may be other segments of society whose representation may be deemed problematic – whether for those presently holding the government positions, such as councillors or elected mayors, or for other elements of society - for example extremist political groups (Copus 2004b:206) or lunatics (Keith-Lucas 1952:161, Pitkin 1967:89). Concern has also been expressed that merely coming from a specific group does not necessarily mean that the representative shares that body's opinion or that they are capable of advocating those opinions in the political body to which he or she is elected (Saunders 1979:24, Eulau and Karps 1978:55). There is also a lack of evidence that the English population itself desires that its representatives resemble them in socio-demographic terms (Rao 1998:231).

A further problem arises when seeking to apply microcosmic representation to single elected executive posts, which might be why the UK Government was apparently keen to separate the notion of executive posts on local councils, whose duty is leadership, from the non-executive councillors who are there to represent the local communities (DETR 1998g:18, Larsen 2005:202, Rao 2005: 2006:21). There are also questions about what would constitute “resemblance”? For example, one mayoral authority, Newham, has had as its executive mayor since 2002 a white Scotsman called Wales when only 33.4% of the population in 2001 classified itself as

White British (London Borough of Newham website 2006). Other studies have found that councillors have more in common with each other, and are less like the general population whether one is considering a council dominated by the Conservative and Labour Parties (Saunders 1979:211) or the Progressive and Labour parties in Glasgow (Brand 1973:473-486). Hence the Town Hall's Members Room has been described as *'the best club in town'* (Elcock 1976:181, Chandler 2007:229). Similar studies of legislatures in the US have found a similar pattern leading Eulau and Wahlke (1978:17) to repudiate the notion of resemblance as a form of representation. The next step is to investigate the relationship of representation to democracy and its implications for government.

Representation as Democracy or Government?

Understanding representation has also been hindered by the lack of a dominant theory of local government or a common understanding of its role (Beetham 1996:28). Hill (1974:18) noted that local government was defined primarily in the context of democratic rather than representation factors with the role of local government being to act as a form of counterbalance to central government. The history of English local government, however, might stress this role was more aspirational and abstract than achieved in practice owing to the legislative and financial power of central government and the lack of constitutional protection for local councils.

One of the underlying tensions in any debate on representation and government is whether the two can coexist, or if the presence of one serves to undermine the operation of the other. Where representation is operationalised through liberal democratic means, Held (1987:29) and Judge (1999:201) have noted that an excess of democracy would be detrimental to the functioning of government. Given that

since the Nineteenth Century the range and number of services provided by local government has increased, one of the key attributes of representation has been the need for it to demonstrate that the governors are responding to the needs of the governed (Newton 1976:6, Newman 2001:128). Yet, Newton (1974:619) found that in the 1960s the role of the councillors was perceived more as one of government than representation.

UK governments have stressed the service delivery roles of local authorities, which would tend to restrict the role of councils to administration rather than government and so diminish the significance of representation. In the 1980s some Labour councils adopted a modified approach in which council tenants were seen as the prime focus for all council activity (Seabrook 1984:2). There have been a range of advocates for local government as a means whereby local people run their own affairs and act as a counterbalance to the overwhelming power of central government, for example Blunkett and Jackson (1987:5,201), Mill (1991 [1867]:241), Smith (2005[1851]:7) and the Adam Smith Institute (1989:9). Stewart and Game (1991:4-5) also assert the need for local government to find a balance between representation as resembling the population and representation as a means of effective government.

Although representative democratic forms have been investigated, it is worth noting that there are alternative democratic models based on participation and decentralisation (Burns *et al* 1994:37). Cole's concepts of guild based representation in which citizens are grouped according to their trade or profession were developed by Pateman (1970:22-44) to provide for a system of representation based on industrial democracy. The validity of these concepts are questionable given the changes in the UK economy and the decline of many large scale employers, enhanced labour mobility possibly from outside the UK and those who change

careers. Participation and devolution have a number of disadvantages. Parry *et al* (1992:48-49) found that most citizens do little beyond voting with only a small core of very committed people using more than one participatory mechanism. There are also concerns that some decisions may be too technical for non-professional representatives (Leach and Stewart 1986:para 313).

In modern conceptualisations of local government there are a number of theories that involve different concepts of representation, such as pluralism, which is associated with Dahl's (1961) study of New Haven and Newton's (1976) investigation of Birmingham City Council. In a pluralist society there are many competing groups through which power and resources are dispersed unevenly (Dahl 1961:247,293, Judge 1995:16) and, since there are so many competing groups, no single one could ever acquire sufficient resources to establish hegemony. In a pluralist polity, political decisions could occur only when coalitions were assembled. What distinguished this approach from the guild-based socialism (Pateman 1970:35, Olson 1971:115) is that pluralism also involves a conventional one person, one vote liberal representative democracy, whereas the socialist-guild alternative envisaged a system of group representatives and the collective entities that choose them. Pluralism also resonates well within a wider liberal democratic political theory since it employs the language of *laissez faire* economics that are also associated with such philosophies.

As a counter to pluralism, there are studies that suggest the concentration of power in a small group of people who may, consciously or unconsciously, be acting as representatives for interests, groups, communities or even a locality. For Mills (1956:3-8) the core elements for domination by a small group of leaders, whom he termed the *elite*, was a stratified society in which there were economic as well as social leaders. Furthermore, Mills (*op cit.*) also asserted that this *elite* exercised power by controlling the agenda, by determining those issues that were deemed

suitable for debate and resolution as well in ensuring that other issues were never resolved. A less conspiratorial conceptualisation describes an alliance, or a collaboration between leading political and economic *elites* to form a governing regime (Stone 1989:234-242, Stoker 1995:56). According to Stone (1989:184-5) business interests and the resources they command are more significant than votes, an observation that would tend to support Dunleavy's (1980:135) negative assessment of the role of elections as tools to shape policy.

There are some significant elements of the US economy, from which regime theory was derived, that may inhibit its application in England. First, Birch (1967:38-39) noted the impact on local government when previously locally owned and run businesses became part of larger corporations without personal ties to the council area. Directors of these firms, who had previously also been councillors, were replaced by salaried professional managers who had no long term commitment to the locality. Stone's (1989:201) study is different in that his case study city, Atlanta, contains the headquarters of an international corporation and hence its staff and owners had a much greater commitment to that city. Second, the lack of tax raising and land use planning powers for English executive mayors as opposed to some of their American counterparts means that regime theory may be less useful as a means of explaining or predicting their actions. In the Local Government Act 2000 the government chose not to allocate the power to approve or reject planning permissions to the executive mayor and this function is retained in a committee of non-executive councillors. Hence any undertakings a mayor may give to a potential investor could be undermined in committee. Thirdly, local party politics can also serve to reduce the executive mayor's tools that would make him or her a suitable partner for local businesses to work with as part of a regime. In Torbay, Mayor Bye noted:

'I've been excluded from the Torbay Development Agency, which is the

council's vehicle for regeneration. So the council funds it, I have to propose the budget, I work with the chief executive and their directors and their employees and all that but I've got no formal link with them...' (interview data)

His exclusion from this body denied Mayor Bye a role in how one of the key publicly funded agencies would shape the future of the whole borough affecting how the local economy would develop. Since he is not a key participant, there is less incentive for local businesses, government agencies or outside investors to see the Mayor as an ally in regeneration. Therefore, while regime theory may explain elements of how English executive mayors are operating, it will not be adopted as a core element of the analytical framework. In order to understand how representation is delivered in English executive mayoral authorities it will be necessary next to explore the role of political parties in local government.

The Role of Political Parties

At local government level, political parties provide a contradictory element. Although political parties' presence outside the council has been in decline with falling membership and votes at local elections, their power and control over local government has been increasing (Game and Leach 1996:148). Copus (2004b:273) has argued that local government representation can now only be conceived as a political party-based concept. In studies of national legislatures, the role of the political party was traditionally conceived as acting as a bridge between the electors and the government (Mair and Katz 1997:100) whereas it may be more relevant to suggest that the party has taken over the government and tends to act as an advocate for it (Mair and Katz 1997:103). One difference in local government is that a politician who was perceived by his colleagues to be too strong an advocate of the council was described as 'going native' (Stewart and Game 1991:34). Yet, with the emphasis on leadership from central government (DETR 1999, ODPM 2005) and the

suggestion that acting as a the voice of the council is a key leadership task (Leach and Wilson 2000:89-107), it is possible that executive mayors could be perceived as “going native” - being advocates for the council and not for the people - with consequences for citizen engagement with the institution. How executive mayors themselves perceive this challenge will be examined in chapters eight and nine.

Political parties might also be impacting on the concept of representation because of the size of the electorate in which executive mayoral candidates must campaign. Since the Nineteenth Century it has been feared that large constituencies would make candidates dependent on his or her local party or caucus (Ostrogorski 1902a:159,162, Quagliariello, 1996:115). The local government reorganisations of the 1970s created larger councils with fewer councillors and bigger wards thus making candidates more dependent on political party organisations to win election (Copus 2004b:23-24). If this is true for a candidate facing an average electorate of 2500, how much more applicable could it be to a candidate facing an electorate of over 200,000? A second consequence of larger electorates is that it could reduce the opportunities for informal interactions between electors and their representatives (Kiss 2002:140). Indeed, Madison (1987[1787]:127) had been concerned that any constituency should have sufficiently few electors so that the representative might be able to build a personal knowledge of them.

There are other consequences of the size of the electorate faced by executive mayors. Both Eulau (1978:50) and Sartori (1987b:321) noted that the more citizens an elected member has to represent, and the wider the range of issues on which he or she must represent them, the less representative they must be. The implication of this is that an executive mayor of a small, district council would be more representative than the equivalent mayor of a large urban unitary authority. Stewart and Game (1991:37) and Rao (1994:105) emphasised the greater work load in

dealing with constituent cases that occurs when a representative has a larger electorate. With an executive mayor, who may obtain a higher media profile than councillors or the former leader, he or she may face the pressure of trying to answer electors' petty grievances rather than to govern the council.

Yet, Copus (2004a:587-588) and Borraz and John (2004:117) have stressed the need for mayors to be less dependent on their political parties in the council. If achieved this would provide a greater connection with the electorate and thus, from a representation perspective, serve to reinforce liberal democratic normative values. Indeed, one of the arguments for the introduction of the executive mayoral system was to produce this outcome (Clarke *et al* 1996:20). Therefore, the political party is acting as an additional variable in the dilemma facing every representative: who, or what, or where does he or she represent? Widdicombe (1986:56) noted that councillors fall between two poles – that of representing the ward that elected them, and that of representing the borough as whole and it is necessary now to consider the role of elections on representation. Executive mayors overcome this by being answerable to the whole electorate.

Executive mayoral representation and the ballot box: the role of elections

Although elections are not the only form of achieving representation, within liberal democracies it is difficult to separate the notions of representation and elections. Elections confer legitimacy (Dahl 1961:248) and according to the Labour Government this legitimacy is one the great strengths of local government (ODPM 2005:7). Sartori (1987a:72) further asserts the benefits of representation by warning of the real intent of populists observing '..."*all power to the people*" is best rendered as "*all power to nobody*".' Dunleavy (1980:11), while sceptical of elections as tools for identifying

electors' preferences accepts that they do confer legitimacy while for Rao (2003:6) the direct election of an executive mayor is significant because of the specific mandate it grants the victor. Other definitions stress the need to balance acting on behalf of others with this authority being balanced by electoral accountability (Beetham 1996:31-32). Nevertheless, it has been argued that once elected, a representative must serve all the constituents and not just their supporters (Glassberg 1981:20), which implies the need for an executive mayor to distance themselves from those who put them in office.

Low turnout in the UK's local government elections was held to be part of the problem of representation since it diminished the legitimacy of those elected and a number of explanations have been offered for this phenomenon. Pratchett (2004:215) argued that the way local government operates, particularly its complexity and its arcane nature serves to deter citizens from seeking greater involvement. There is also concern about what an election is meant to achieve. Copus (2004b:17), following Schumpeter (1976:269), noted the role of elections as a means of changing the a ruling group of politicians, which may be conceived as replacing the dominant *elite*. Michels (1962 [1915]:76), based on his personal experience of the German Social Democrats, asserted that once the election was over the electors had no control over those who were meant to represent them. A further problem for the theory of representation is how politicians react to peoples' views. Dunleavy (1991:8) argues that politicians set out to shape the electorates' opinions through their campaigns whereas Downs (1957:72) and Lees Marshment (2001:29-32) stress that successful political parties achieve victory at the polls by responding to the changing views of voters. Walsh (1996:78) suggested a further difficulty in that while an election may reveal choices for a candidate, this may be a poor proxy for revealing electors' policy preferences.

Even when candidates were elected on clear manifestos there could be some doubt whether any policy outcomes changed in relation to those promises. Saunders (1979:218) found in his case study that the officer management team was the main policy initiating body, a view echoed by Dunleavy (1980:135). Moreover, Lord Diplock's ruling on the *Fares Fair* Case brought by Bromley against the Greater London Council in 1983 established the legal precedent that a manifesto cannot be binding on a councillor in being the sole determining consideration on how he or she votes. Lord Diplock did rule that it is acceptable for such pledges to be taken into account as part of the decision making process (Leigh 2000:197, Watt 2006:79). Phillips (1996:21) offered the countering opinion that a binding manifesto would obviate the need for consultation or microcosmic representation since electors would know what was to be done on their behalf. A significant limitation of this is what a representative should do in the event of unexpected developments that were not accounted for in the manifesto. Therefore, in this context representation is dependent on temporal factors whose definitions are adjusted to exigences of the society or polity in which it is employed. In turn, this would stress the significance of leadership as integral part of understanding representation.

Nevertheless, one of the core elements of the executive mayoral system is that the mayor as local political leader is directly elected. As such, the office forms part of a western European political tradition covering over two millennia in which those who are elected are deemed also to be representatives. In modern terms elections are necessary to ensure that the victorious mayoral candidate is not simply the product of a beauty contest or demagoguery. How this is achieved in practice will be considered in more detail in chapter five where the debate on how to elect an executive mayor, a debate that was missing from the UK reforms, will be considered.

Definitions of “political representation”

A number of attempts have been made to define representation in a political context. Rawlings (1988:5-11), suggested first, there was the “Tory” version of representation that envisages the representation of the locality, a geographically bounded unit. In parliamentary terms this meant the borough or county, but it is applicable to directly elected executive mayors as they are closely identified with a specific location. Ostrogorski (1902:6-11) noted this phenomenon as part of the traditional pattern of land ownership and links to the aristocracy that interwove the government of the village with the government of the state. Edmund Burke asserted the representative's duty to the whole nation and to the representation of places with similar interests, which Rawlings (*op. cit.*) terms “Whig”. Hence there was no need, for example, for every major port to have an MP as long as at least one port with similar interests had representation. Third, there was the “Radical” version, which involves the representation of the people in the constituency. A more philosophical approach was adopted by Pitkin (1967:144) who suggests that *'Representation means the making present of something which is nevertheless not literally present'*. Pitkin (1967:13) argued that the constituent parts of representation are three forms of actions, to act:

- Instead of,
- In the best interest of, or
- According to instructions of one's principals.

These constituent parts, however, construe representation as a principal-agent relationship in which the representatives are the agents and those they represent the principals. These three categories are both contradictory and complimentary. It is possible to conceive policy decisions in which all three criteria are respected, equally, there could be occasions where an executive mayor makes a policy decision that they believe to be in the best interest of the locality even when there is no unequivocal evidence that the people themselves desire that policy choice. Elements of this

dilemma will be explored more fully in the case studies.

Pitkin (1967:39) and Rao (1994:31) assert an important rider in that a representative needs to have authority to act on behalf, and have the consent of those for whom he or she makes commitments. If representation is interpreted as an agent-principal relationship one of the challenges is that the people may not have a clear idea of what they want (Pitkin 1967:145). There might also be a range of areas, where the citizens may have no opinion (Pitkin 1967:163) but where the local authority is compelled to act (Watt 2006:11). As Hill (1974:154) noted, local councils have to tackle specific problems whereas the elector has the freedom to deal only with generalities. The above also emphasises the political nature of local government because, as Crick (1982:69) argued, there are areas where representatives must be free to govern according to people's interests and not will.

Furthermore, Pitkin employed two German verbs to illustrate the multi-faceted nature of representation. The concept of 'representation as being', which Pitkin (1967:59) derives from the German verb *darstellen*, stresses what the representative brings to the role rather than what he or she reveals by acting in it. Part of this would be consistent with concepts of microcosmic representation stressing the need to have a wide range of elected members in order to bring the widest range of skills, knowledge and experiences to the representative body. Clearly such a conceptualisation of representation, while beneficial for assemblies such as the council, is extremely problematic when electing a single post, such as an executive mayor since the *darstellen* any one person can provide will be less than that of the whole body of councillors. In observing the US, De Tocqueville (1966[1835]:79) attached great importance to the representative being one of the people, that one citizen was as good as another to hold office, while Judge (1999:26) asserts that the leader is a member of his community. These concepts appear to repeat the Athenian model of

citizen equality referred to above.

For the second element Pitkin (1967:59) offered *vertreten*: “to act for another”, a concept that relates more to leadership since it encompasses how the representative may perform actions that will benefit those they represent. For Pitkin the notion of *vertreten* serves to expand the debate about representation beyond that of accountability or resemblance (Pitkin 1967:113) and also to offer an interesting perspective on the agent-principal relationship since *darstellen* requires that the represented are agents and the representative their principal, while *vertreten* reverses this. As such, this latter concept resonates well with notions of leadership, especially where the leader, such as an executive mayor, may have to employ policies that are necessary but unpopular. Applying *vertreten* to executive mayors, these terms would require both an incumbent and the electorate to perform the two roles simultaneously: they must be both principal and agent.

Given that executive mayors are the product of an electoral system operating in a defined, geographically delimited area, notions of “place” will be examined to consider how they impact on concepts of “representation of”. Sharpe (1970:154) and Copus (2004b:45) assert that electors demand the representation of place and Eulau *et al* (1978:125) state: *‘Where you represent influences what you think you represent.’* Judge (1999:47) has argued, however, that the strict linkage between representation and place at a parliamentary level was broken by the election reforms of 1832, which established the principle that boundaries could be changed. It could be suggested that this is more significant for local authorities that can be subject to wholesale reorganisation or amendment at the legislative will of central government³⁶. As well as the impermanence of boundaries, the development of governance also presents a

³⁶ Bedford itself was altered in 2009 becoming a unitary authority with new elections to the council, but not for executive mayor, following a reorganisation of the local authorities in Bedfordshire (SI 2008/907)

challenge to the notions of representation, especially elected representation, as technical competence can also confer legitimacy on participants as well as the ballot box (Judge 1999:139, Leigh 2000:6). Nevertheless, it will be a core assumption that a representative's legitimacy is derived from his or her election to a political office. Hence, some of the typologies that have been employed to categorise those elected will be explored.

Typologies of Representatives

A number of typologies have been posited to analyse the complex notions of representation. Corina (1974:73-79) advanced five types of representative behaviour based on a study of councillors that was influenced by his own experiences as an elected member:

- '1 *The Party Politician*' – those who take a long term perspective in order to secure delivery of their political party's goals or principles.
- '2 *Ideologist* – those who seek to persuade colleagues to their point of view and who are prepared to confront their political party if there is a divergence on principle.
- '3 *Partyist*' – those who view the political world from a partisan perspective and see the political party group as the core policy making and dispute resolving forum.
- '4 *Associate*' – councillors who were often focused narrowly on a single issue or a single ward and who tend to eschew overt partisan conflict.
- '5 *Politico-Administrator*' – those who as senior members tend to be chairmen of the major committees and perceive their role as representing the authority to other councillors and the outside world. As Corina noted, this introspective focus tended to display itself in the manner such councillors conducted themselves: *'It was the case that Politico-Administrators did talk at*

backbenchers as if they were laying down the laws of the Medes and Persians.' (Corina 1974:80).

Given the government's emphasis on consultation and translating the community's wishes into policy (DETR 1998g:25), the introduction of executive mayors was a strategy to replace or remove the latter category, the "politico-administrator". An alternative approach was offered by Newton (1974:619, 1976:118) and Eulau *et al* (1978:118-119) who developed the concepts of *trustee* – the person who exercises his judgement on behalf of electors, *delegate* – who acts in the instructions of electors and the *politico* – who incorporates elements of the two other roles. Glassberg (1981:10) augmented this by adding the *holistic*, whose focus encompasses the whole local authority, and the *particularist* who puts his or her ward first. Judge (1999:60) has argued that for councillors the trustee role is less prevalent but it tends to be revived by a councillor when he or she is in conflict with their local party. While Corina's wider category list offers great utility for evaluating councillors, Newton's more limited typology will be employed for elected mayors, since he or she holds the post of mayor alone and may not necessarily be part of a party political group.

The above categories overlap and do not make for valid typologies in conventional analysis (Sartori 1970:1041) although they would be acceptable using fuzzy set logic (Ragin 2000:149, Smithson and Verkuilen 2006). Moreover, Filkin *et al* (2000:28) observed that such categories may assume there is just one item to be aggregated into the common will. Nevertheless, these labels do provide a means of producing causal inferences that describe an executive mayor's conduct in office. For the thesis theorising representation to be relevant to mayoral leadership, an executive mayor is assumed to be similar to an MP or a councillor. Having reviewed the theoretical literature on representation, the investigation will proceed by restating the key role of representation as one means of evaluating the political difference executive mayors have brought to local government.

Conclusion

A key concern for this chapter arose from the fact that representation did not appear to have been cited as an explanatory variable for leadership, or as a causal factor in its own right. Neither Kotter and Lawrence's (1974) study of US mayors, nor Leach and Wilson's (2000:14-15, 2004:140) and Morrell and Hartley's (2006a:488) examinations of British local leadership address the key notion of whom, or what, leaders might represent. Leach *et al* (2005:3) did not include representation as part of their elaboration the different elements that shape the local political context. An acknowledgement of the role of representation tends to be implied in that by having a mayor as more visible leader external networking becomes a key role (Leach and Wilson 2002:667, 681) or mayors choose to stress their role as an ambassador (Elcock 2001:105, Mouritzen and Svava 2002:184). All these approaches, however, focus more on the executive mayor as representative of the council rather than as the citizens' representative.

While chapter three stated that political leadership is a contested notion, the literature stresses that leadership is a form of action which involves persuading people to undertake actions that they would not otherwise do (Elcock 2001:85). Leadership is also about articulating a vision for the locality (Mouritzen and Svava 2002:67). Moreover, it is quite possible to study leadership with reference to followers, but without invoking any theory of representation (Burns 2003:170-185). Instead, the role of leader tends to be associated with bringing change, or with developing a vision (Kotter 1990:6). A further challenge of adapting representational theory to the institution of directly elected mayors in England is the emphasis by the government on leadership and executive powers. Stewart (2003:74) noted that the focus of the legislation was on creating a strong executive even if the rhetoric stressed the role of

scrutiny and the titles of the White Papers sent a strong message of the Government's intent: *Local Leadership, Local Choice* (DETR 1999) and *Strong Local Leadership, Quality Public Services* (DTLR 2001b). Leach and Wingfield (2000:48) argue that the *Modern Local Government* White Paper (DETR 1998g) focuses on increasing participation rather than representation. Tony Brown, Hartlepool's borough solicitor offered a similar interpretation:

'The biggest difference ... is the separation of a quite significant body of the council from direct involvement in decision-making. That clearly reflects the intention of the legislation as I understood it, to provide a high level of accountability, so the people would know who was actually making the decisions.' (interview data)

Nevertheless, representation typologies contain elements that indicate that an inferential relationship may be present.

As was illustrated in the review of typologies, there are some overlaps between the five-fold form of Corina (1974) and the three-fold form of Newton (1974:634, 1976:118) and Eulau *et al* (1978:118-119). Here the combination of *trustee*, *politico* and *delegate* will be used as it offers the most relevant framework for examining single elected posts whereas Corina, in particular, is more appropriate for a traditional council. The three classifications should be capable of being operationalised in that different policy choices and actions would be expected of executive mayors according to whether they conceive their role as being a *trustee*, *politico* or *delegate*. For example, an executive mayor who relates their policy choices closely to the contents of a manifesto or the decisions of a political party group would conform closely to the delegate model whereas one who is a trustee could be identified through their desire to promote the place or the borough first and foremost. The politico is the most interesting category as it involves elements of trustee and delegate actions but whereas a trustee is, to a greater or lesser extent subordinate to others, the politico exploits his or her position in order to ensure a greater degree of freedom. Moreover,

Newton's typology has been employed elsewhere through survey based studies of councillors (Glassberg 1981:9 and Svava 2002a:214-215), thereby demonstrating the typology's utility, hence, adopting it for the thesis will assist in providing comparative analysis.

From the above discussion in chapters three and four firstly, an analytical framework is proposed that incorporates leadership and representation theoretical concepts in a manner that will assist analysing executive mayors. In chapter three a conceptual diagram was developed (figure 12, p97), which offered a number of dimensions by which an English executive mayor may be measured on a leadership continuum from "weak" to "strong". Given that executive mayors are elected and may wish to be re-elected, and given the significant role played by political parties in English local government, especially at election time, it is beneficial to augment that model to take into account how the executive mayor may also be interpreting their role as a representative. To do this, the four criteria offered by Leach and Wilson (2000:13-16) are used: that an executive mayor should be able to demonstrate changes in agenda setting, task accomplishment, external networking and political cohesion. Since the latter term appears to be council-centric and introspective, and given that the government's overall desire included individual decision-making (DETR 1998g:19), the concept has been expanded to include Elcock's (2001:106) emphasis on the possible desire of executive mayors to seek re-election. That mayors have such a strong motivation is supported by the fact that to date (2009) almost every sitting executive mayor has sought re-election³⁷. Doncaster's Mayor Winter chose not to submit himself to the electors' verdict in June 2009 (*Local Government Chronicle* 12 March 2009³⁸), which in one sense deprives them of that act, but also serves to

37 On 12 March 2009 Mayor Winter in Doncaster, having been de-selected as the Labour candidate a year earlier, announced his decision not to seek re-election following a highly critical government report into his Council's management of children's social services. http://news.bbc.co.uk/1/hi/england/south_yorkshire/7939473.stm

38 <http://www.lgcplus.com/news/mayor-steps-down-at-doncaster/2006923.article>

confirm that in the executive mayoral model the incumbent sees him or herself as answerable to, and therefore representative of, the people of the borough.

Secondly, it was noteworthy that sitting Labour executive mayors who had won a second election were reported as seeking a change in the Labour Party's policy, which would otherwise limit them to two terms (*Local Government Chronicle* 29 May 2008)³⁹. By allowing elected mayors to continue in office, if re-elected, this change would allow individuals to continue adopting a long-term approach to policies. The change also reinforces the representative nature of executive mayors in that it confirms the role of the electorate as the final arbiters of who should hold power and for how long. Hence Table 7 (p132) indicates how leadership and representation theories can be combined and evidence that can be sought from the political context in each authority to support any change that may, or may not have occurred. Table 7 also serves to highlight certain roles and behaviours that can be sought in the operation of English executive mayoral councils.

³⁹ <http://www.lgcplus.com/news/third-term-deal-for-mayors/1396054.article>

Elements from Leadership Theory	Aspects of Representation Theory	Evidence from Political Context
Agenda setting	delegate	majority minority Blocking third Officers
	trustee	
	politico	
Task accomplishment	delegate	re-election/manifesto Party strength on council Officers
	trustee	
	politico	
Governance/Political Cohesion	delegate	Politicised council independents Divided or united political party
	trustee	
	politico	
External Network	delegate	Stable council Good Comprehensive Performance Assessment Local strategic partnerships
	trustee	
	politico	

Table 7: Executive Mayors: An Analytical framework

Source: author's model derived from leadership and representation theories: Newton 1974:619, Leach and Wilson 2000:13, Elcock 2001:105-106

Having established this framework, the next task is to explain how to operationalise each aspect to provide either a unique solution to each application (King *et al* 1994:121) or the different possible conjunctural combinations (Ragin 1987:20,26,47). Since a predominantly qualitative methodology is employed in the thesis, Table 7 (p132) helps shape the evidence gathered through interviews and the election analysis.

Within this chapter, two key themes have been explored. First the contested concept of representation and how this may be applied to local politics and executive mayors.

These theoretical issues place a further challenge to executive mayors since they must function in a policy environment that places a strong emphasis on managerial and leadership functions, as set out in the government's *Vibrant Local Leadership* document (ODPM 2005). Second, the chapter has provided a means of linking the operation of leadership, as examined in chapter three, with theories of representation to produce a model that might account for and explain executive mayors and the political difference they have made.

Since executive mayors are representatives as well as leaders, and since being directly elected is one phenomenon that makes English executive mayors distinctive, and certainly different from the previous form of council leadership, the electorate system and how it operates will now be analysed. In particular, the next chapter will consider whether the supplementary vote and the nature of election campaigning are helping to deliver enhanced legitimacy as an element of that political change.

CHAPTER FIVE: ELECTING EXECUTIVE MAYORS IN ENGLAND

Introduction

As was stated in chapter two, local government's lack of legitimacy and accountability were two key drivers behind the Labour government's reforms that introduced directly elected executive mayors. The government also sought to enhance accountability and the ability of electors to reward or dismiss executive mayors, which would be an additional measure of the political change that had arisen from this new model of English local government. Furthermore, supplementary vote was a relatively new electoral system in England having only been used once before, in May 2000 to elect the Mayor of London.

First, one of the key differences of English executive mayors from both indirectly elected cabinet leaders or civic mayors can be noted in that they are elected by all the citizens of the the local authority. Such a relationship with the electorate has three functions:

- It provides the executive mayor with a mandate,
- It is a means of legitimising those actions that are undertaken, and
- It is a tool of accountability whereby electors can scrutinise their leaders and representatives.

These functions are consistent even with minimalist democratic models (Schumpeter 1976:269, Dunleavy 1980:11), which conceive the role of elections as the periodic changing of their rulers. Rao (1993:31) offered a more positive role stating that

elections were part of representative local government through which the governed gave their consent to be governed. Copus (2006:31) augmented this, saying:

'With an authority-wide mandate the moral and political leverage is granted to a mayor to speak for and behalf of an entire area, to a range of diverse local, regional, national and international bodies, and to act in an ambassadorial role for that community.'

One reason why executive mayors are able to exert such a moral and political leadership is the widely held belief that being an elected representative confers legitimacy. As the mayors themselves stated:

'Influence is the key... people want to talk to a directly elected mayor because they accept that you're in position because of the result of an election in which everyone had the opportunity to take part.' (Mayor Bye, Torbay, interview data)

'You've got the mandate to do it and nobody can argue really. And that's quite powerful, I mean no council leader has that respect. It is hugely different, which is not to say that some council leaders don't act like they do, but that's not the issue... it's the democratic mandate.' (Mayor Thornhill, Watford, interview data)

'...being an elected mayor I'm actually vice-chair of the local strategic partnership, the local MP is the chair, but we both have a mandate for the town.' (Mayor Drummond, Hartlepool, interview data)

'The first thing it gives is a clear mandate that I was elected on... I'm here for four years...and will give that stability for four years...' (Mayor Harrison, North Tyneside, interview data)

'More than anything, I think because of... the mandate you have as an elected mayor I think there's the opportunity for you to put your spin if you like, your added dimension into local politics, on the basis of your own beliefs, over and above all outside of the political doctrine...' (Mayor Winter, Doncaster, interview data)

There was support for this opinion among officers too with Martin Lewis, Newham's Corporate Strategy Officer, noting how direct election had changed the nature of the council leader's mandate now the borough had an executive mayor:

'..as the first term of office goes on it is increasingly becoming clear that that is different from somebody, as the mayor was previously, who had a year to year mandate, and only a mandate from his own political group.' (interview data)

In addition to conferring legitimacy, the choice of an electoral system can affect how candidates and political parties interact with electors (Duverger 1954:217-222, Sartori 1994:63,175). Powell (2000:27) has argued that the choice of the electoral system reflects normative assumptions about the nature of democracy itself, whether the system is a majoritarian one in which power is concentrated or a more consensual one in which power is shared.

Yet, there appears not to have been a detailed discussion about how these elections ought to be conducted, what thresholds – if any – should to exist, and which system would be most appropriate in delivering good representation. In Parliament MPs stated their fatigue with even discussing electoral systems; Van der Kolk *et al* (2004:589) quoted Tony McNulty MP as saying: *'In recent months, we have had many nauseatingly boring debates in this Chamber about electoral systems.'* (Hansard, vol. 323, col. 951). Furthermore, there was no discussion of alternative electoral systems in the local government Green Paper that preceded the mayoral legislation (DETR 1998b) and there was only a limited review of three options – single member plurality, alternative vote and double ballot - in the White Paper that preceded the creation of the Greater London Authority (DETR 1997:10). While policy makers appear not to have focused significant attention on executive mayoral electoral systems, academics have tended to focus on the election of legislatures and so issues of proportionality and what constitutes representativeness have been more prominent,⁴⁰ (Dummett 1997:6) which implies that a debate is still needed.

Against this background, the British government adopted a normative concept of a

⁴⁰ See Rae (1971), Eulau and Wahlke (1978), Sartori (1994), Powell (2000), and Norris (2004

strong executive, which can be seen in the repeated emphasis on “leadership” and “accountability” in the White Papers (DETR 1998:8,31, 1999:3,6, DCLG 2006:215). In light of these assumptions and expectations, the adoption of a majoritarian electoral system, both in terms of the votes cast as well as of the electorate as a whole, might have been anticipated. Nevertheless, as Elcock (2001:105) states, political leaders have to be re-elected and so cannot ignore their dual role as representatives. Since, these concepts of leadership and representation are interconnected, the system by which executive mayors are elected will be examined to determine its impact on how mayors interpret their roles.

The chapter's first section will examine the major practical and theoretical systems by which an executive mayor could be elected, with the objective of testing whether supplementary vote was the most appropriate option given the government's objective of increasing turnout and legitimacy. Given that low turnout continues to be a concern both of the Labour government (DETR 1998b:5, 1998g:9, 1999:5, DTLR 2001a:8, DCLG 2006:31) and the Conservative opposition (Conservative Party 2009:5) consideration will be given to the impact of the choice of electoral system, and in particular whether making the elections non-partisan, as is the case in some US states (Frederickson *et al* 2004:68, 86), has a theoretical impact.

The main section of the chapter will review the 27 mayoral election contests to determine the political differences that may have occurred, particularly where legitimacy was enhanced through greater turnout or through mayors receiving a wider share of the popular vote than councillors. A number of aspects of the electoral process will be considered ranging from the turnout, the change in the shares of the vote to the nature of how the election campaigns were conducted as these would be indicators of political difference. In particular, evidence will be sought that executive mayors are obtaining a larger share of support than councillors. If that is the case,

then it can be asserted that executive mayors are revitalising local democracy and strengthening the democratic linkage at a local level. As well as examining the direct impact of elections on the mayoralty, the chapter will also consider whether holding the office of executive mayor had consequences for representation on the councils themselves. Table 11 (p174) shows that a majority of mayoral councils had enjoyed long periods of political stability before introducing the executive mayoral model, with the Labour Party enjoying control of most of them. Whether this dominance has continued or been broken will be a key question. A caveat must be noted. Since the Labour Party was holding its third consecutive term in power nationally any changes might be a reflection of a dissatisfaction with national rather than local politics. As the new electoral system of Supplementary Vote was connected so closely with the Labour Party's Plant Report (Plant 1993), the first question is whether the system was fair, and hence could contribute to enhancing the victor's legitimacy, or whether it was systemically flawed through a partisan bias or other failing. In order to test these issues, the following hypotheses will be used:

H1 Supplementary Vote (SV) enabled more Labour Party candidates to win than Single Member Plurality (SMP)

H1_{null} SV produced outcomes that are no different to SMP.

H2 Executive mayors will receive proportionately more votes than councillors from electors at the polls and so increase their legitimacy.

H2_{null} Executive mayors will receive the same, or proportionately fewer votes than councillors from electors and so have no more, or less, legitimacy than councillors.

H3 Winning control of the mayoralty by a political party will deliver an improvement in the number of councillors where that party is not also the party

in power at Westminster.

H3_{null} Winning the mayoralty has no impact on the number of councillors in that authority area.

The analysis will commence with a overview of some of the theoretical principles behind an electoral system.

Choices about Choice: Which electoral system to use

There is a common understanding of the role of elections with Downs (1957:36), Sartori (1987a:29.141) and Powell (2000:4-6) stating that an election's goal is to produce an unequivocal winner who can then exercise office with confidence and legitimacy and to ensure the victor, in this case the executive mayor, is the electorate's choice. First, the electoral process will be considered from a logical perspective to uncover the electors' choices that must be made in order to determine which candidate is the most preferred. Having done this, consideration will be given to the practical mechanisms of translating the most preferred candidate to a mayoral electoral system whose votes deliver this before reviewing the results themselves.

A contested election can be conceptualised as a series of paired contests in which the overall winner is the candidate who secures a majority of victories over every other candidate (Llull c1283a, Black 1958:58, Dummett 1997:50). For example, if there were four candidates, A, B, C and D, each elector would have to make six choices:

A or B

A or C

A or D

B or C

B or D

C or D

The candidates can be ranked in order of preference i.e. A to B to C etc. However, one element to be resolved is the logical problem of circularity in elector's preferences where A is preferred to B, B is preferred to C, but C is preferred to A (Colomer and MacLean 1998:1). In English mayoral elections circularity has at least two dimensions: choosing between candidate and choosing between political parties, of which the problem of just deciding between candidates will be considered first. Circularity presents electors with a difficult choice, for example, take a situation in which there are four candidates A, B, C and D and an elector prefers A to B, but if A cannot win, then they would rather have C to block B. Where candidates may not always have a political party affiliation, circularity has the potential to become a more complex issue as the elector must not only order candidates according to which individual is preferred but whether they also support the political party. For example, how should a person vote if they prefer candidate A as an individual but they also endorse the policies of candidate B's political party? Possible resolutions of this problem will be considered in the examination of specific electoral systems below.

The above method is usually associated with the Eighteenth Century French mathematician Condorcet (Black 1958:46, Dummett 1997:48, 50). More recently, research has established that the system was first advocated by the Thirteenth Century Catalan scholar, Ramon Llull (Llull c1283a, c1283b and c1299). Therefore, henceforth it will be referred to as the Llull-Condorcet (LC) system (Dummett 1997:49, Colomer and MacLean 1998:2).

One method of operationalising the logical choices identified by Llull and Condorcet in the preceding paragraphs is to attach numerical values to preferences to enable

the victor to be determined by aggregating the points cast for each candidate. One method of doing this is the Borda count, named after the late Eighteenth Century French mathematician. Yet, his system was preceded by the Fifteenth Century work of Cardinal Nicholas Cusa (Cusa 1991[1433]:190, Colomer and MacLean 1998:2), hence it will be referred to as the Cusa-Borda (CB) system. In this system if there are four candidates and candidate A is the first preference, he or she will receive four points, if B is the second, they score three points, C being third receives two and D, the final choice, earns only a single point. Alternatively, the scale can be adjusted so that the last preference receives zero points, the second from last receives one point and so forth (Cusa 1991[1433]:191). The scores are aggregated and the candidate with the most points is declared the victor. Cusa-Borda's advantage is that all votes are counted and there is no distortion through candidates being eliminated at any stage, a problem considered in the discussions of AV and SV below. The CB system also challenges the elector to be better informed about all the candidates since it may be necessary for the voters to use all their preferences to prevent their least desired candidate from winning. Moreover, by giving a vote to every candidate, each elector has an active part in determining who emerges victorious thereby helping to engage electors in the process as other systems may mean their choices are eliminated at an early stage meaning they feel disconnected from the electoral process.

Since under CB the victor is determined by aggregating points derived from preferences, there is a concern that a victor under this system may rely on the "weaker" preferences to overtake a candidate who has a large number of first and second preferences, but very little support thereafter. It is assumed that lower preferences are weaker, less credible ones, however, such assumptions lack either theoretical support or empirical evidence. Cusa (1991[1433]:191) was aware of this and suggested altering the system where there were fewer than 12 candidates so that the difference between the points allocated to the first and second choices would be

greater than that between the eleventh and twelfth. There is no evidence that such a system was considered for English mayors and the debate focused on Single Member Plurality and Alternative Vote (DETR 1997:10)

The Single Member Plurality (SMP) system, sometimes known as the “Westminster system” or, less accurately, as “first-past-the-post”⁴¹, is used in the United Kingdom and some former British colonies primarily for the election of Members of Parliament as well as for the election of councillors in England and Wales (Rae 1971:40). SMP has been described as ‘...one of the most straightforward electoral systems’ (van der Kolk 2007:163) since the elector is required to do no more than place a cross next to the name of their desired choice to register their preference. Counting is simply a matter of aggregating the votes for each candidate with the winner being the person who received the most votes, regardless of any other factor for example. share of the vote, turnout and so forth.

Against this, SMP has a number of disadvantages, especially if electing a single person to an executive post, since it is only majoritarian if there are two candidates, otherwise it is possible that victor could be elected on a very small share of the vote. For example, if there were 10 candidates and 100 votes cast, a victor could be elected with the support of just 11 electors, the remaining 89 having opposed him or her. An executive mayor elected on such a small share of the popular vote might have diminished legitimacy since so many of those who did vote ended up choosing unsuccessful candidates, a phenomenon known as “wasting” their ballots. Having so many electors who chose the defeated participants may be significant since it is vital for the stability of any democratic electoral system that the losers are willing to accept their defeat; the losers consent to be governed (Blais and Gèlineau 2007:427).

⁴¹ The term first past the post normally describes the situation at a general election where the first party with a majority of seats wins the election, but such a goal is the same regardless of the election method and is inapplicable to a single executive office.

Under SMP electors can only express a preference for a single candidate, hence it is vulnerable to tactical voting, the phenomenon by which electors vote for the candidate they believe most likely to defeat their least preferred choice even if that would not be their most desired candidate (Farrell 1997:163). Tactical voting is represented as a deviation from rational choice models in which electors seek the candidate who is most in alignment with their own preferences (Downs 1957:5-6, Dummett 1997:44). Concerns about the legitimacy of the SMP winner have resulted in considerations of alternative electoral systems.

The Double Ballot (DB) system is a majoritarian one as a victor is elected by one of two methods, either by securing a majority of the votes cast on the first ballot or, if this does not happen, all but the two candidates with the most votes are eliminated and a second election is held, typically a fortnight later (Farrell 1997:40-41). As with SMP this is a relatively simple system requiring the elector only to mark a ballot next to their most preferred candidate. Double ballot was advocated by Sartori (1994:75) and it was most prevalent form of electing executive mayors in Europe with municipal government in the late Twentieth and early Twenty First Centuries (Magre and Betrana 2007:184).

As with SMP, DB is vulnerable to fluctuations in turnout, especially if the two candidates who go through to the final round were beneficiaries of a large divided field in the first ballot. While the intervening days between the two rounds of voting allow additional campaigning in which the final candidates convert eliminated candidates' supporters, there is a danger that those without a preferred candidate in the second ballot may not participate, hence the victor's legitimacy could be undermined by having been elected on a small share of the vote on a smaller turnout

and a smaller share of the registered electors (Farrell 1997:42)⁴². Proponents of DB have argued that the additional campaigning period enables the elector to make an intelligent, deliberative choice (Sartori 1994:64), something that is restricted in both alternative and supplementary vote systems as will be seen in the following paragraphs. Mayor Arkley, who regained North Tyneside's executive mayoralty in 2009 having previously held it from 2003 until 2005 when she was defeated on second preference votes in the SV system, supported a double ballot saying: '*people whose candidate dropped out can then make a fully informed choice about who they actually want.*' Nevertheless, in June 2009, Mayor Arkley performed better on both first and second preferences than her Labour opponent (see Appendix C for the full results).

Politicians have argued against double ballot fearing that the media could influence the outcome (Campbell-Savours 1998:4). Another concern is that the period between two ballots could be used by political parties or candidates to collude or '*...adopt manipulative strategies to try and maximise their gains...*' (Farrell 1997:49), the implication being that such strategies are a negation of an elector's true preferences. There is also a problem for the elector in choosing for whom to vote. By supporting their preferred candidate in the first round, the voter faces the risk that both this candidate and their next most preferred alternatives may be eliminated at the first stage leaving them with the options of non-participation or choosing a sub-optimal candidate. Lastly, there is the additional administrative and campaigning costs of holding two elections (Plant 1993:20). Other electoral systems do enable the elector

42 An initial review of the 1999 and 2004 *Kreisfrei* mayoral elections in *Nord Rhein Westphalen*, the German *Land* that also adopted executive mayors shortly before the UK (1999) and are referred to in the 1998 White Paper (DETR 1998g:20) shows that there was a decline in average turnout of 7.80% from 49.38% in the first round of voting (n=44) to 42.21% in the second round (n=28). In 2007 the double ballot system was changed for a single member plurality system for the 2009 elections. <http://www.wahlergebnisse.nrw.de/kommunalwahlen/1999/index.htm>, <http://www.wahlergebnisse.nrw.de/kommunalwahlen/2004/index.htm> and http://sgv.im.nrw.de/lmi/owa/pl_text_anzeigen?v_id=4520040121111440485#FN2

to make multiple decisions on a single ballot and these shall be investigated next.

Alternative vote (AV) is a majoritarian system where the elector puts a 1 next to his or her most preferred candidate, 2 next to their second choice, then 3 and so on until they have exhausted the list of candidates or no longer wish to cast a vote. In this system it is advantageous for electors to use all their preferences if there is a candidate they wish to block otherwise he or she could win through the process of eliminations and transfers (Dummett 1997:95). The first preferences are counted and if a candidate has secured a majority (50% of the votes plus one), he or she is declared the victor, otherwise the candidate with the fewest votes is eliminated and their second preferences are allocated to those candidates who remain. The process is continued until one candidate has received a majority. AV was recommended as the best option for electing mayors within the Labour Party (Hodge *et al* 1997:18), by the Commission for Local Democracy (CLD 1995:27) and it was considered as an option for London's strategic mayor by the 1997 Green Paper (DETR 1997:10).

As with any electoral system that is not supported by compulsory voting, AV is vulnerable to low turnouts that would serve to undermine the elected mayor's legitimacy. Another weakness is the circumstance in which no candidate secures an overall majority on the first ballot and the election is won by a candidate who until the final allocation of votes came second from last, thereby avoiding elimination. Such a phenomenon, called "bubbling up" (Dummett 1997:92), has provoked criticism from politicians such as Campbell-Savours (1998:1), who argued that the election result would be less fair if the candidate with the most first and second preferences was defeated by a candidate who had benefited from third, fourth, fifth or weaker choices. The core assumption is that a first preference vote is of greater weight than a second, which is greater than the third and so forth. Yet, AV can be effective providing electors allocate a preference vote against every candidate on the ballot paper

(Dummett 1997:95). Moreover, that “bubbling up” received such prominence in the Labour Party's own report on electoral systems (Plant 1993:19), may have been motivated more by a concern to defend a political party's position rather than a desire to empower electors or ensure that the system produced a clear winner.

A further concern with AV was that there could be an election where two candidates were highly placed, but the second placed candidate was victorious due to the transfer of just a few votes from the last placed candidate, the first to be eliminated.⁴³ All the other preference votes would not be counted even though they might have produced a different outcome. Similar to this is the concern that the outcome of the election under AV can alter radically according to the order in which candidates are eliminated (Farrell 1997:91-92). Again, this problem relates to the concern that all preferences are given equal weight in the AV system and one elector's third preference is assumed to equal to another's first choice. A third question about AV would be the relevance of a majoritarian threshold itself. Why is 50% plus one vote deemed sufficient when it is the smallest possible majority? Why not have a high threshold to provide the victor with enhanced legitimacy?

One advantage of AV is that electors are compelled to make all the voting decisions in one act thus limiting the ability of candidates to collude or the media to change allegiances. AV preserves the rational choice notion that individuals should act only in their best interest, however, a concern here is that electors can also use AV to block a least liked candidate while remaining equivocal about whom they did desire to win (Dummett 1997:98), in the language of political campaigns, voters are adopting an “anyone but them” strategy. Yet, the voter could benefit from guidance about which candidates were likely to be eliminated early on in the count so as to ensure that their second and subsequent preferences are used to greatest effect. How the

⁴³ I am grateful to Professor Dunleavy for raising this issue with me at the Political Studies conference, University of Reading, April 2006.

supplementary vote system chosen for English mayoral elections addresses these issues will now be considered.

Although it did not appear in the Green or White Papers (DETR 1997, 1998b, 1998g), Supplementary vote (SV) was chosen as the method for electing England's only strategic mayor, the Mayor of London (schedule 2, GLA Act 1999) and subsequently for all executive mayors (schedule 2, LGA 2000). As an electoral method it appears to combine three elements: it is majoritarian, it encourages candidates to reach beyond their core party political support, and it retains the simplicity of the single member plurality system. If a candidate receives a majority of the votes cast on the first ballot, he or she is elected. Otherwise, all but the two candidates with the highest votes are eliminated and the second preferences of those eliminated re-allocated so that one of the two remaining candidates will achieve a majority and so be elected. Second preference votes for candidates who have been eliminated are ignored. It was claimed that unlike AV, where no candidate has a majority of first preference votes, all electors who supported less popular candidates will have their views taken into account when deciding who is the final victor (Plant 1993:21). As such, SV could reduce the problem of "wasted" votes as well as encouraging the electors to be more deliberative in considering who is most likely to win (Campbell-Savours 1998:3). It was also claimed that SV produces a clear winner as well as being simple to use by electors (DETR 1999:25).

There are a number of critical assumptions behind SV. First, it was assumed that electors would, prior to a single vote being cast, have a good idea about which candidates were likely to come first or second so that their second preference votes could be cast effectively (Plant 1993:57). Evidence to the Parliamentary *Report on Voting Systems* contained a worked example of SV in which over 95% of the electors manage to use their second preference votes for candidates that had not been

eliminated (Campbell-Savours 1998:4). Furthermore, it has been noted in studies of new democracies that it takes several elections for voters to “learn” which parties are credible and hence how to use their votes effectively (Powell 2000:177). Hence, the 27 election mayoral election results between 2002 and 2009 will be reviewed to examine how and whether electors were transferring their votes efficiently and the assumptions behind SV can be tested. First, the route by which SV emerged as the system of choice for the government will be noted.

The SV system originated in an internal Labour Party review, (Plant 1993:*passim*), which was conducted following four consecutive general election defeats. SV benefited from having the active support of the Labour MP, Dale Campbell-Savours, who has been credited with the development of the system (*Hansard* col 649, 14-12-1998). No evidence was obtained to explain why SV was adopted for executive mayors, although Hilary Armstrong was both a member of the Plant Commission as well as being a key local government minister in Labour's first term from 1997 to 2001, therefore it is possible that she acted as an advocate. Nevertheless, since SV was not mentioned in the Green Paper on London government as the preferred solution (DETR 1997:*ibid*), that might be an indication of on-going deliberations within the Labour Party and government right up until the GLA legislation was enacted⁴⁴. Indeed the Plant Report (1993:7) affirms that the recommendations were based on the majority views of the committee and no detail was provided as to how large that majority was or how strong the views of the minority were. There were strong partisan considerations behind this system in that the examples showed how Labour Party candidates would also benefit from SV with the role of supporters of minor parties being able to have a say in who was elected, not to have one of their own

⁴⁴That the government persisted with SV for executive mayors even after losing the first strategic mayoral election in May 2000 to an independent would be evidence to contradict path-dependency theories since these depend on feedback loops to alter subsequent outcomes (Pierson 2004:20).

candidates emerge victorious (Campbell-Savours 1998:4), hence the role of political parties also needs to be considered.

Political Party or Independent Person: The role of partisanship

Although the above discussion has centred on the choice by voters between candidates, English local government is noted for its dominance by political parties, as Copus (2004b:14) stated: *'Where there are elections within the liberal democratic model of representation, there will be political parties'*. Indeed, in the Nineteenth Century Bagehot (1963[1867]:158) asserted: *'There was never an election without a party. You cannot get a child into an asylum without a combination'*. The introduction of executive mayors, with the focus being solely on one individual as the office holder, might have provided an opportunity for considering whether mayoral elections should have been conducted on a non-partisan basis. Copus (2004b:43) found that two thirds of the population do not agree with political parties playing such a dominant role in local government. Such a question has been reinforced by the success of independent, or minor party candidates in five of the first eleven mayoral elections⁴⁵ prompting Copus (2006:33) to observe:

'The realisation that a "party" may not win every mayoral contest destabilises not only the conduct of elections but also local politics more generally. Parties are now faced with reconfiguring the relationships they have with their own voters and supporters, the wider electorate, other parties and the local political leader.'

The main argument for non-partisan elections comes from the historic experience in the US where the adoption of executive mayoral systems is also connected with the wider Progressive Movement in local government⁴⁶. Adrian (1952:766) argued that

⁴⁵ <http://www.nlgn.org.uk/public/elected-mayors/mayoral-elections-referenda-results/> accessed 23-08-2007.

⁴⁶ The Progressive Movement in the US is connected with the development of the first

the introduction of non-partisan mayors raised the performance of councils that adopted them and also improved the ethical conduct of local administration. Such outcomes are significant given that a number of the English local authorities that adopted the executive mayoral model had previously been beset by problems of failing service delivery, or corruption, or both (DETR 1999:6). Frederickson *et al* (2004:68), however, noted that non-partisan elections were more a feature of mayor-council-manager towns rather than executive mayoral councils.

There is a fear that candidates will become dependent on those who finance their campaigns (Adrian 1952:772) and in Europe that has meant political parties have become more dependent on state resources (Mair 1997:39). Although English local elections may be cheaper than their American counterparts, the legal maximum a candidate is permitted to spend was still over £10,000 in 2009 in the larger boroughs, which was a sizeable amount for candidates and local political parties to raise. A second concern was the possible impact on turnout with both Dearlove (1979:209) and Hawley (1973:144) suggesting that turnout is lower in non-partisan than in partisan local elections. More recent studies of US local elections have also noted that turnout may be lower in city manager and non-partisan municipalities (Wood 2002:223, Hajnal and Lewis 2003:650). The US experience may be less relevant in England, for although there have been a number of successful independent candidates, all the mayoral elections have been contested by at least two of the three main political parties (Labour and Conservative). A lower turnout has also been attributed to a consequence of fewer contacts between the electors and the mayor and there would be less mobilisation from electioneering (Adrian 1952:768, Hajnal and Lewis, 2003:647) as well as the possible difficulty of organising election campaigns for electorates with more than 200,000 voters. A third possibility is that

(1894) and second (1915) model city charters, which sought to remove corruption and partisan politics from local government and replace this with more business like approaches Frederickson *et al* (2001:4-6)

political parties could find ways to provide tacit support to candidates, regardless of the fact that the ballot itself is non-partisan (Cassell 1986:231). Since some political parties may require the expulsion of their members for helping a candidate from another political party, the need for any collusion to be tacit could make the electoral process less transparent. Yet, in 2005 Doncaster's Liberal Democrats took the unusual steps of endorsing an independent candidate and producing a leaflet encouraging their voters to support him. Against this background, the results under the SV system that was adopted can now be investigated more closely.

Enthusiasm or Apathy: What happened at the ballot box

The introduction of directly elected executive mayors in England occurred in the context of concern at the low numbers of citizens choosing to participate in local elections (DETR 1998:10, Hansard 2000a columns 223, 235, Morrell and Hartley 2006a:490, Conservative Party 2009:5). Rallings and Thrasher (1994:1) have cited turnout as an indicator of the health of local democracy and have stated how turn-out impacts on the victor's legitimacy:

'Turnout levels are such a potent symbol of democratic health and legitimacy that, unless something is done to reinvigorate participation, local authorities will find it still harder to get governments of any party to accept that they have a mandate to represent their electorate.' (Rallings and Thrasher 1997:215)

Government commissioned research projected that there would be an increased turnout for an elected mayor, although with a strong caveat:

'Respondents were asked to imagine that there was an election for a directly elected mayor for their city or town being held the next day. They were asked how likely it was that they would 'go and vote'. On average, just under half (49.6%) of all respondents indicated that it was very likely that they would vote and just over a quarter (25.7%) indicated it was 'fairly likely.' (DTLR 2001a:19-20)

The problem of legitimacy could be compounded by the absence of any minimum turnout requirement. In SMP the weakness of a low turnout is illustrated below, for example, even if a candidate were to secure 80% of the votes cast, he or she may only receive the support of 30% of the registered electors, leaving 70% of those who voted for rivals or abstained unrepresented.

Although levels of turnout have been emphasised, increasing the number of those who vote may not be a sufficient cause, even if it is a necessary one, to re-establish confidence in and the legitimacy of those elected. Two examples are given below using the SMP system, which illustrate how a candidate may be endorsed by more voters, but on the same, low share of the whole electorate⁴⁷:

Council A

Ten candidates, 100 % turnout, the smallest possible winning share of the vote
= 10.1%.

Council B

Two candidates, 20.1% turnout, the smallest possible winning share of the vote
= 10.1%.

Council A's winner could be said to enjoy greater legitimacy since that candidate was elected on a larger turnout, however, it is also possible to argue that the victor's legitimacy has been compromised since nearly 90% of those who voted chose someone else whereas in Council B just under 50% voted for the loser. Some smaller French municipalities have employed more sophisticated criteria for victory, requiring a candidate to have both a majority of the vote and the support of at least 25% of the registered electors to be elected (van der Kolk 2007:165), although this only applies in those areas with under 3,500 voters.

⁴⁷ For the sake of simplicity only once decimal place is used

Examining the data did not produce evidence that introducing executive mayors had increased the willingness of electors to participate as the average turnout for the 27 elections between 2002 to 2009 was just 34.63%⁴⁸, below the 40% identified as the “typical” for council elections in the old committee system (DETR 1998g:9). Details of all the mayoral elections to date are included in Appendix C. There are caveats with the data as there are discrepancies between the different reported figures⁴⁹. For the thesis the number of votes cast is taken as the aggregate of the valid 1st preference votes cast for each candidate, excluding any spoilt ballot papers. It could be argued that when elections are determined by the second preferences, only those valid votes should be counted, with any unallocated second preferences or ballot papers where no second preference was chosen being considered as spoilt ballot papers and discounted. Rallings and Thrasher (2005:xix) defined turnout as: ‘...*the proportion of the electorate that cast valid ballots at the election.*’ If this more rigorous test is applied, and the allocation of the second preferences is treated as, *de facto*, a second round of polling, then the average turnout falls to 30.32%.⁵⁰

Endorsing Mayors or Drowning in Confusion: The Mayoral Election Results

Given that the mayoral system has not made a difference in terms of turnout, the first aspect of the electoral system to be considered is whether the SV system was benefiting the Labour Party, as was implied in the Plant Committee’s models (Plant 1993:57-59). Systemic bias in favour of the party in power at a national level, while certainly evidence of a political change resulting from the introduction of directly

48 Source: nlgn.org.uk/mayors, Rallings and Thrasher (2002, 2005, 2006, 2007)

49 The main sources are the Local Government Chronicle Local Election Centre, Plymouth (Rallings and Thrasher, *passim*), The New Local Government Network www.nlgn.org.uk and the individual council websites

50 Since there are fewer than 30 cases, no tests for statistical significance have been applied but a general inference would be that turnout has not yet shown a positive change as a consequence of executive mayoral elections.

elected mayors, would open up a wider debate on whether such elections met international standards for being free and fair. A belief that the electoral system contained a partisan bias would also cast doubt on the executive mayor's mandate. The presence of such distortion is tested by using the following hypothesis.

H1 Supplementary Vote (SV) enabled more Labour Party candidates to win than Single Member Plurality (SMP)

H1_{null} SV produced outcomes that are no different to SMP.

In the 27 mayoral elections examined there were four cases where the candidate who had come second on the count of first preference votes went on to win after the allocation of second preferences: Mansfield and Stoke-on-Trent (2002) North Tyneside (2005) and Doncaster (2009). These results demonstrate that SV was capable of delivering different outcomes to SMP and could be delivering its proponents claim that it would enable more electors to help determine the outcome (Plant 1993:21). In both Stoke-on-Trent's and Mansfield's first executive mayoral elections the Labour Party was disadvantaged by SV since that party's candidate was defeated when second preference votes were counted despite being the lead candidate on first preferences. In both instances the winner was also an independent. Only in North Tyneside in 2005 was there an example where the Labour Party candidate moved from second to first place. Doncaster's result in 2009 was more interesting as not only did it provide a relatively new political party, the English Democrats, with the first council under its control, but also because the candidate who led on first preferences, Cllr Mick Maye, was in his third contest and had come close to winning in 2005. That there was only one instance of the Labour Party benefiting from second preference votes means the hypothesis H1, that SV enabled more Labour Party candidates to win than SMP, can be rejected at this time and other aspects of the election results considered.

A second expectation of the SV system was that more people would be supporting the victor, thereby endowing him or her with a stronger mandate and greater legitimacy (Plant 1993:21, Campbell-Savours 1998:4). If turnout had not increased, it might be possible under SV that winners were receiving a larger share of the votes cast, or possibly even a larger share of vote as a proportion of registered electors, either of which would be evidence of a political change. The expectation of improvement was set out in the following hypothesis:

H2 Executive mayors will receive proportionately more votes than councillors from electors at the polls and so increase their legitimacy.

H2_{null} Executive mayors will receive the same, or proportionately fewer votes than councillors from electors and so have no more, or less, legitimacy than councillors.

The election results are considered and in order to allow comparison between the different authorities, where the number of electors may vary widely, percentages are used. Given the winner's share of those who voted may be influenced by both turnout and the dispersal of support over a wide range of candidates, the share of the registered electors is also examined. The findings from the data are shown as Table 8 (p156).

Winners	Mayors - elected	Councillor s - elected⁵¹	Mayors and councillor s - elected
Mean “share of the vote” of the people who voted (top two candidates if 2nd preference vote is used)	59.58%	Not applicable	Not applicable
Mean share of the vote of the people who voted	46.48%	49.91%	49.8%
Mean share of the vote as share of the registered electorate	16.08%	17.19%	16.15%
N	27	789	816

Table 8: Shares of the vote received by victorious candidates 2002-2009.

Sources: Rallings and Thrasher (2002, 2003, 2004, 2006, 2007, 2008 *passim*), Appendix C

From Table 8 it is clear why a winning candidate may prefer to quote the mean share of the vote of the top two candidates (Bullock 2002:136) as this supports the effectiveness of supplementary vote as a majoritarian system, with a victor's mean share of the vote of 59.58%. Taking the first and second preferences as a share of the electors who voted, however, confirmed the earlier findings of Rallings *et al* (2002:78) and van der Kolk *et al* (2004:596) that candidates tend to win on a plurality and not a majority of the vote, which indicates that SV is not delivering the unequivocal winner as intended. Since there were councillors being elected in the same authority area, though not necessarily at the same time, the mean share of the vote obtained by winning mayoral candidates to discover if executive mayors were receiving a more substantial electoral mandate than councillors. Table 8 (p132) records that executive mayors received an average 46.48% of the votes cast whereas winning councillors averaged 49.91%⁵². The difference does not appear to be large and indicates that councillors enjoy only a slightly greater electoral legitimacy than

⁵¹ Shares of vote are calculated according to Gunter *et al* 1998:703 using the number of valid votes cast

⁵² In multi-member councillor wards only the share for the top candidate has been included in this analysis

executive mayors. Applying a t-test⁵³ confirmed, however, that the difference between the shares of the vote secured by executive mayors and councillors was statistically significant at the .05 level. Therefore the hypothesis H2 that executive mayoral candidates will receive proportionately more votes than victorious council candidates in those authorities is supported. A similar outcome was obtained when the share of the vote is changed to the share of the electors who supported the winning candidates for executive mayor or council, although here the t-test falls just under the significance level⁵⁴. Therefore, not only are executive mayors failing to win a greater share of support but they are failing to do so by a statistically significant margin.

There are a number of caveats in these data as this analysis is not strictly comparing like with like. Executive mayors were appealing to the whole local authority area, whereas council candidates were standing for election in a ward before a fraction of the total population; the electors' choices were different. Other variables between the different sets of elections included the presence of pilot schemes to increase turnout, whether the election was combined with parliamentary or local elections or whether the council elections were for every council seat or only one third of the councillors. Appendix D lists a complete range of differences between the elections.

It is assumed that the use of pilot schemes and special measures were balanced by the combined mayoral-general elections which could also raise turnout. If executive mayoral winners' vote shares was low (Table 8, p156), then there is concern that the

53 Applying statistical tests is problematic since the population of mayoral elections is below 30 whereas the number of council elections is over 500, since thirty is the threshold above which any sample is more likely to conform to a normal distribution and appropriate tests could be employed (Weiss and Hassett 1986:409, Hinton 1995:53). The methodology for small sample inferences for two population means was chosen (Weiss and Hassett 1986:424-426) since the focus of this research is the smaller of the two - directly elected mayors - with an assumption that that the significance level was $P > 0.05$.

54 Applying a one-tailed t-test produces a score of 1.7006 with 27 degrees of which is just smaller than expected value of 1.703, hence significant (Hinton 1995:307)

share of the electorate supporting the winner is even lower with the mean share of registered electors supporting the victor with just 16.08% for executive mayors and 17.19% for councillors. Therefore, over 80% of registered electors were not voting for either their executive mayor or their councillors and this figure calls into question the legitimacy of any actions undertaken. The low level of electoral support, however, might assist the executive mayor in developing his role as a representative for the whole authority (Leach and Wilson 2000:15), since the executive mayor could use the low level of votes to justify moving away from a narrow political party platform if he or she had been elected under a political party label.

In addition to these shortcomings, Van der Kolk (2008:419) also examined the problem of “wasted” second preference votes, where the vote is either not used or cast for a candidate who has been eliminated. The 27 executive mayoral contests had five results that were decided on first preference votes alone, with the winning candidate receiving more than 50% of the votes cast on that count. In five other contests, the winning mayoral candidate's majority was greater than the number of unused second preference votes. Therefore, in just over three fifths of all mayoral elections, there were sufficient second preference votes available to alter the result. Such an outcome indicates that elected executive mayors' legitimacy could be called into question as the Supplementary Vote system could be a necessary, if not the sufficient, causal variable in determining the the elections' outcomes and not the will of the electors themselves. The most experienced mayoral electoral services manager, David Patterson, in North Tyneside, noted the problems electors had with SV system.:

'There was total confusion about what the two votes were for...what you ended up with was one of two things either two votes for the same candidate... or one would be for Labour and one would be for Conservative. ' (interview data)

By not voting for the candidates who came first and second, electors were not using

their second preferences to affect the outcome.

In English local elections the key role of political parties has been noted (Copus 2004b:14). Although the aim of a political party is to get its candidate elected, it is possible that how they chose candidates and conducted their campaigns was also having an effect on the results. Therefore, to understand the political difference being made by executive mayors it is necessary to examine the election campaigns.

Interacting with Electors: Print, Paper and Pavements Pounded

Since a directly elected executive leader for a local authority was an innovation in modern English local government, there are two areas where elections could be different: how candidates were chosen and how they campaigned. Here the thesis will offer a speculative ideal type and by a comparative analysis examine what changes the political parties did make.

Traditionally, candidate selection by political parties has been an internal matter. In some cases there were formal approval processes with interviews by ward, constituency or district committees (Jones 1969:95-99, Brand 1973:476, Copus 2004b:75, Leach and Hall 2006:23, Wheeler 2006:4). For others, the pressure to find candidates meant that individuals who had been engaged in a public but non-party political role, for example a residents' group activist or a school governor, would be approached and asked to stand (Stewart 2003:105). As political party membership has declined, this has meant selection by a relatively small number of people. For the campaign itself, the emphasis has been on local campaigning through leaflets, canvassing and the polling day routine of getting out the vote.

An ideal type for a mayoral election, one that addresses the legitimacy and accountability deficits, could take the following form. For political candidates, there would be selection by open primary, an election in which any registered voter could participate, perhaps with some vetting and short listing by the political party, but beyond that engaging with the whole electorate across the local authority. The campaign itself would embrace elements of presidential and parliamentary campaigning, with the focus on the candidate him or herself rather than the political party (Copus 2006:199), since that candidate would need second preference votes from other candidates in order to win (Plant 1993:21). Indeed, the need to win those second preference voters would also shape the tone of the campaign by requiring candidates to be less aggressive to other political parties and candidates.

The only change political parties have made in the selection process is to adopt all-postal ballots of their members in the local authority area. While in 2009 the Conservative Party conducted an open primary for its Totnes Parliamentary selection⁵⁵, such a method has yet to be applied to a mayoral candidate selection. In the Labour Party the initial selection process was not without controversy as in some areas candidates were permitted access to copies of the membership roll to undertake campaigning while this was denied elsewhere (Bullock 2002:134).

Since the election campaigns are more complex, the first task in evaluating how mayoral election campaigns were fought is to choose an appropriate variable that can be operationalised. Pattie *et al* (1995:981), Johnston and Pattie (1997:171) and Denver and Hands (1997b:255) identified a causal relationship between general election campaign spending and outcome, therefore levels of campaign spending by mayoral candidates will be employed here as a proxy variable to measure election campaign intensity.

⁵⁵ http://news.bbc.co.uk/1/hi/uk_politics/8182833.stm

There are a number of additional insights that studying these expenses returns may provide. First, the amount of money spent on an election indicates a political party's interest in the mayoral election since a high level of spending is consistent with a determination to win whereas as a lack of spending might be an indicator of indifference towards the election, or the weakness of the local organisation. Second, how the money is spent might be an explanatory variable for the turnout and the share of vote mayoral winners were receiving. Here the balance between spending on personal, targeted campaigning (telephone calls, direct mail) and broadcast (leaflets, advertising) communications can be revealed since, in 2009, all costs above £20 must be accounted for. Third, the focus of election spending might indicate the effort being placed on canvassing, which would be most readily identifiable if large scale telephone canvassing was employed since this would be a high cost. Door-to-door canvassing would be harder to identify from the election expenses since there may be no monetary cost involved in this apart from the production of a special leaflet – sometimes called a “calling card” or a “sorry you were out” card – to be left by canvassers.

Some of the candidate's election expenditure returns were reviewed, which indicated that the political parties were campaigning primarily only for their own candidates and not guiding their supporters on how to use their second preference vote. A related aspect of campaigning was how the national political parties tend to show an interest only if there was a marginal parliamentary seat in the local authority area. Hence both the Conservative and Liberal Democrats' national party headquarters provided telephone canvassing for their candidates in Torbay since that was deemed a marginal parliamentary constituency. It will be considered below when examining whether there is a local government party system what factors may be preventing political parties from adopting a different approach over the use of second

preferences. The average spent by each of the three main political parties is included below as Table 9.

Political Party	Mean percentage of the legal maximum spent
Labour	75.5%
Conservative	47.8%
Liberal Democrat	43.8%
N= 58 candidates	

Table 9: Mean election spending by mayoral candidates (2005-2006 only)⁵⁶.

Source: returns of election expenses lodged with EROs, 2005-2006.

In considering the election expenditure returns there are a number of issues concerning their reliability. First, three mayoral elections returns were missing – two were not submitted, the other was “lost” between being submitted to the Council Offices and reaching the Electoral Services Office. A second issue was that there were variations in how much detail was attached to each item or what was included in the election expenses return. Some candidates included their deposit as an election expense though most did not. A third concern was the range of amounts that could be spent given that the formula to determine this limit, called the legal maximum, which was dependent in part on the number of registered electors in a local authority area. To account for the different size of electorates, and variations in the total amount that may be spent, the data were calculated as a proportion of the total spent. A fourth issue arose in that the computer file containing the data from the 2007 elections became corrupted after the six month period when the returns were legally available for review. The data obtained are shown in summary form as Table 10 (p163). The table illustrates first and foremost that incumbents and winners are spending substantial amounts on campaigning – more than twice the average. The

⁵⁶Data for 2007 was lost when a hard drive failed

disparity revealed here may have an impact on subsequent elections since any challenger needs to be equally well resourced in order to have a chance of victory.

	All candi dates %	Winn ers %	Incu mben ts %
Percentage of Legal Maximum Spent (declared)	39.10	85.13	86.17
mean percentage spent on:			
offices, staff, meetings, (deposit)	6.98	3.87	3.29
computers/web design	0.65	0.15	0.15
canvassing, telephones or similar	1.83	2.74	3.00
Printing and Stationery	72.65	69.33	78.62
Advertising	6.79	6.32	6.32
Postage/paid delivery	10.78	16.73	8.62
N =	58	8	8

Table 10. Mayoral election campaign spending 2005-2006.

Source: Returns of Election Expenses held by the individual council's electoral services offices.

Examining the details, the amount spent on postage, when cross checked with the spending on individual items under printing and stationery, implied that challengers in North Tyneside and Stoke-on-Trent in 2005 spent heavily on direct mail and in both cases the incumbent was defeated. In both those cases the Labour Party had lost seats at recent council elections (see tables 11 and 12, pp174,178 below) and the need to spend on postage is consistent with Wilks-Heeg and Clayton's (2006:86) findings that councillors were key local activists contributing on average 15 hours a week during election times, a resource that would be difficult, or expensive, to

replace⁵⁷. The use of paid delivery also supports observations of a wider decline in the number of activists on whom the political parties can call to assist in campaigning (Parry *et al* 1992:89, Wilks-Heeg and Clayton 2006:*ibid*). Mayor Drummond, who substantially increased his majority in 2005 despite the election being combined with a general election did not rely on the typical campaign familiar to the political parties described his approach to the election:

I'm not a big one for election campaigning...I think it's a complete waste of money. All I did was get an A4 piece of paper, set out what I'd done and what I'd like to do, it wasn't even jazzed up...and then myself and a few friends just delivered it ourselves...' (Drummond, Hartlepool, interview data)

For all its simplicity, when compared to the Labour Party's intense campaign that spent 95% of the maximum amount permitted, Mayor Drummond's 2005 strategy was successful. Although Drummond was re-elected in 2009 the majority was far smaller – just 844 votes. The absence of a general election campaign may have hindered the Labour Party slightly more as its candidate slipped to third place. Another victorious independent, Mayor Mallon, also did not rely on conventional campaigning methods and he said:

'...this will shock you...in the election campaign, do you know that I never asked one person to vote for me? Not one. If I stand again in 2007 I won't ask anybody to vote for me. I said this..self-praise is no recommendation, I can't tell you that I'm the best man, you decide who the best man is, or woman, but vote.' (Mallon, Middlesbrough, interview data)

It must be noted, however, that both these candidates may have benefited from their independent status as well as positive media coverage and so were not reliant upon canvassing. Given the size of the electorates and the costs of the election, the low number of references to internet or electronic campaigning is noticeable, however, the full extent of electronic campaigning may not be declared in election returns. Nevertheless, one practitioner, Richards (2004:172), exhorted: *'If you're not*

⁵⁷ While it is legal to pay for leaflet distributor, providing the campaign does not exceed the legal maximum, it is illegal to pay canvassers ss 72, 111, *Representation of the People Act* 1983.

campaigning in cyberspace, you're not campaigning at all.' . The residents' socio-economic status was also a factor, with Mayor Pipe noting when commenting on the wider issue of how he liked to communicate with the community:

'...when you look at those who would prefer to do it on-line in some way, whether through web-chat or email or blogs or whatever ... and through the NDC [New Deal for Communities] Shoreditch Trust we're piloting this kind of interactive TV ... where, whether it is reporting rubbish...or using computer packages though it, all that kind of thing...But at the end of the day that's been done because [internet] penetration is very low generally, certainly in the council estates...' (Pipe, Hackney, interview data)

A review of some of the 2006 and 2007 mayoral election communication brochures, in which a mayoral candidate was allowed up to an A4 page to promote themselves⁵⁸, revealed that not one candidate in Doncaster in 2005 included an email address as part of their text whereas most did so in Torbay. In addition, only the BNP candidate in Doncaster in 2005 included a web site, albeit the national party one rather than a local campaign site.

Some mayoral election campaigns were held on the same day as other elections, notably the general election in May 2005, or council elections. The election expenditure returns were also examined to find evidence of the different campaigns being combined⁵⁹. It was the perception of both the winning and losing candidates in North Tyneside that a successful mayoral election campaign should be separate from all others. The then Cllr Arkley, said of her 2005 campaign:

'The message was lost. Unfortunately, the Parliamentary candidate thought that if he won the election I would be mayor. Couldn't see the wood for the trees...And I would never, ever run a combined operation like that again.'

In political party activist terms, her re-election was dependent on 'riding on the coat-tails' of the Westminster candidate rather than him benefiting from her incumbency.

58 (*The Local Authorities (Mayoral Elections) (England and Wales) Regulations (2002):paras 4 and 7*)
59 s.77 Representation of the People Act 1983

While this strategy did secure a majority of the first preference votes, it did not obtain sufficient second preferences to enable her to retain office. The victor, Mayor Harrison, also regarded the joint campaign as an error. saying: *'But what has not got to be mixed up is, people are voting for the mayor of North Tyneside and not voting for that government and I think we did that quite successfully at the last election.'* Arkley's 2009 mayoral campaign was successful, as that was on the same day only as European Parliamentary elections and not combined with a General or local election.

The election spending in Stoke-on-Trent in 2005 revealed that the victorious Labour challenger did not use combined literature with the Parliamentary candidates. The major political parties' actions in these cases supports other observations that the two major English political parties are now general election winning machines and so were overly focused only on marginal parliamentary seats (Fielding 2005:37, Cowley and Green 2005:61). That political parties have separated their mayoral and parliamentary campaigns is also evidence that executive mayors have begun to establish themselves as political institutions in their own right with voters capable of making different choices. Such ability was demonstrated most clearly by Mayor Drummond:

'Yes, they [Labour] were expecting to win...it was on the same day as the general election ... And I spoke to the mayoral candidate who happens to be the chairman of the council...and he was expecting to win by the 50 percent ... because the MP was winning easily. But I think what it showed was a real boost for, not just for me, it was good for me, but for the mayoral system. People knew what it was, because I think in the past the politicians had made the biggest mistake of assuming that people were just going to tick both boxes for them and vote party-wise and in the past, I suppose, they've done that and it's been a very Labour dominated town. But they know there's a distinct difference between the MP's role and the mayor's role and who they're voting for and what they're voting for, because you're talking nearly 18,000 difference between our votes.' (Drummond, Hartlepool, interview data)

There was no dominant pattern when mayoral elections were combined with council as opposed to general elections. In Newham the Christian Peoples' Alliance used its council candidates to promote its mayoral campaign by having the description "Christian Peoples Alliance – Leader Alan Craig" on their nomination papers and subsequently on the published notice of election and the ballot papers while Mayors Bullock (Lewisham) and Wales (Newham) for Labour and Thornhill (Watford) for the Liberal Democrats shared election agents, literature and other costs with their council running mates. Against this pattern, Hackney's Mayor Pipe used separate literature from the Labour Party's council candidates even though he acknowledged the primacy of party politics at election times:

'At election time, and obviously more kind of subliminally throughout the following four years, but particularly at election time, obviously, I'm representing Labour Party values, and saying ... this is what you're going to get if you vote for me, this is what we're in favour of.' (Pipe, Hackney)

One other element that might appear on the return of expenses is whether two or more campaigns and candidates shared an election agent. The benefits of having a separate election agent are relevant to the management of the campaigns: as he or she is responsible for running just one candidate whereas taking on responsibility for the council elections might mean managing 50 or 60 council candidates at the same time. There is no advantage by having an election agent solely for the mayoral campaign in having more money to spend⁶⁰ and, if the agent is paid, the amount available for campaigning is reduced since the full cost must be borne by the mayoral candidate's election expenses alone. There was also evidence from the spending patterns indicating that the leading contenders may have copied each other in some of their campaigning techniques. In 2005 in Doncaster both the Labour incumbent and the main challenger, Cllr Maye, spent heavily on advertising in the local paper.

⁶⁰ In local council elections the legal maximum for a candidate is reduced by $\frac{3}{4}$ if he or she is part of a joint campaign with one other candidate in that ward and by $\frac{2}{3}$ if part of a joint campaign of three or more candidates. (s.77 (1) *Representation of the People Act 1983*)

What was observed here follows the pattern of institutional isomorphism noted by Di Maggio and Powell (1983:439), in which competing bodies start to adopt identical methods and approaches. Since the role of political parties has been noted in the conduct of campaigns, this aspect will now be given greater consideration.

The Political Parties' Attitude to Mayoral Elections

The conduct of mayoral election campaigns provides evidence about the organisational capacity of local political parties themselves. Sartori (1976:63) stressed that contesting elections was a critical variable in defining a viable political party, although his study focuses only on national elections. Therefore, whether a political party is standing candidates in every mayoral contest as well as in all council seats, will be considered. The presence or absence of political party candidates will act as an indicator of the state of those local political operations and may also have a bearing on the votes being cast for independent candidates. Copus (2004b:68-70) devised labels indicating the different strengths of a local political party organisation to provide a baseline to assess local political parties in mayoral elections:

- a) moribund - very little, or sporadic election activity only
- b) dormant, active at only elections
- c) resurgent - has members and mounts some campaigns, but not many.
- d) functioning-mechanistic
- e) omnipotent - continuous campaigning.

Rather than using a dichotomous present/absent condition, this typology allows for a more flexible categorisation of local political parties. First, it must be noted whether the political party stood a candidate in every mayoral election as failure to do so might be evidence of a moribund or dormant organisation. The decision not to contest, however, might also be a tactical one to focus scarce resources on other elected offices, for example in Hartlepool Cllr Preece, the Liberal Democrat group

leader said

'...there is great difficulty in running two campaigns about two different things on the same day. Our experience of that was that it's been extraordinarily difficult. Here of course, we were concerned to get the best result that we could in the general election, which was our priority. Now frankly, finding the money to pay for two campaigns, finding individuals to fight two different campaigns, you see, and if you mix the two, so in the end we didn't put up a candidate at all.'

In 2005 in Stoke-on-Trent a press release was issued saying *'...the Liberal Democrats have always shown opposition to the Elected Mayor system'* (Stoke-on-Trent Liberal Democrats 2007). Doncaster was a more interesting case in 2005 as the local Liberal Democrat organisation did not contest the mayoralty directly, instead the return of election expenses demonstrated that the local party printed literature for one of the independent candidates. The beneficiary of their support, independent Cllr Mick Maye, confirmed this saying: *'They did [declare their support for me], and then put a leaflet out accordingly saying "We ask you to vote for Mick Maye".'* Hence, the office of executive mayor in England is being treated differently to other elected offices with no apparent impact on the standing of a political party for failing to participate.

There is a caveat in studying the organisational strength of political parties in that they may have different institutional arrangements that may or may not correspond to local government boundaries. The Conservative Party tended to use the Parliamentary constituency as its basic unit whereas the Labour Party has more of a history of using Borough or District Labour parties for local government purposes (Green 1981:38, Hall and Leach 2000:152-157). The Association of Liberal Democrat Councillors (ALDC) has achieved physical as well as operational separation from the Westminster-focused goals of the main party by being based in Yorkshire⁶¹.

⁶¹ <http://www.aldc.org/-inside-aldc/contact/>

A second method of assessing local party vitality is to study the number of candidates who contest local elections, since standing for every vacant seat would be evidence of a functioning or omnipotent party whereas contesting only a few is a sign of dormancy or even morbidity. Care has to be taken to determine if a political party is not standing candidates in every seat in order to focus their efforts. Additionally, a political party that nominated candidates only in seats which it was actively seeking to win is both being more honest with the electorate and is acting rationally to concentrate their resources to secure electoral victory. Thirdly, it is possible to measure the change, or lack of it, in representation of political parties on the local authority. Account will have to be taken of anti-government voting where the political party in power at Westminster loses seats at local council elections, regardless of the qualities of individual councillors. From these observations, the following hypothesis could be advanced:

H3 Winning control of the mayoralty by a political party will deliver an improvement in the number of councillors where that party is not also the party in power at Westminster.

H3_{null} Winning the mayoralty has no impact on the number of councillors in that authority area.

Four measures may be used to test this hypothesis:

- i. The percentage of mayoral elections contested,
- ii. The mean spending on mayoral election campaigns by each political party,
- iii. The mean number of candidates nominated in council elections, and
- iv. The pattern of changes in control, if any, of the authority.

The number of elections contested was selected since, if winning the mayoralty is a causal variable to explain subsequent changes of political party representation on a

local authority, the absence of a candidate would diminish the significance of that causal relationship. The second measure listed is related to the first. If a political party is merely nominating a candidate so as to have a name on the ballot paper, but is not supporting that candidate with a viable election campaign, it weakens the causal relationship between winning the mayoralty and any changes on the council. The third measure offers an approximation of a political party's change in strength locally as a more vibrant organisation should nominate more candidates whereas as one in decline, or choosing to target its campaign more narrowly, will show a decline. In order to gain control of the council, a political party must have enough candidates to win a majority of seats. Lastly, the changing pattern of council control is investigated to test whether the mayoral election can serve as a trigger for wider changes in local representation and hence be an element of political change attributable to the introduction of executive mayors.

Analysing the number of candidates by political party label reveals that only the Conservative and Labour Parties have contested every mayoral election. Correspondence with the Conservative Party's election agent confirmed that the Conservative Party's Area Officers intervened to compel the local association to nominate a candidate in Hartlepool, indicating that this measure may be as much an indication of the resolve of the national party as of the strength of the local organisation. The mean spending for the main political parties was examined for evidence about whether the party was attempting to win the mayoralty or whether it was nominating a "paper" candidate. Table 12 (p178) contains the breakdown of candidates standing and being elected in the mayoral authorities according to the UK's three largest political parties, in terms of the national totals of councillors and MPs.

The above figures do not convey the complete picture. Most of the councils with an

executive mayor are also those which were once considered Labour strongholds and it would be reasonable to expect the local Labour organisation to be better resourced. As Table 11 (p174) indicates, only in Bedford and Torbay was the Labour Party not the traditional majority party. In some other cases the size of the Labour Group had been in decline before the executive mayoralty was introduced, for example North Tyneside, Watford and Doncaster. Against this pattern of decline, there was the recovery of the Labour Party in Hackney that overcame its disintegration in the late 1990s to re-establish an overall majority in 2002, which was retained in 2006.

Reviewing the record of political party control in mayoral authorities in Table 11 (p174) it is noteworthy that in Doncaster, Mansfield, Stoke-on-Trent and Watford, previously strong Labour majorities on the council have been lost. While the Labour Party retained the executive mayoralty in Doncaster in 2002 and 2005, and regained Stoke-on-Trent in 2005, it has lost badly in Mansfield in 2002 and 2007 and in Watford in 2002 and 2006. In 2009 it lost the executive mayoral election in Doncaster. An interesting result occurred in Lewisham in 2006 where Mayor Bullock (Labour) was re-elected but the council itself ceased having a Labour majority for only the second time since 1965. Although the Labour Party won the 2005 mayoral election in North Tyneside, the Conservatives have become the majority party in the council chamber and secured their third mayoral election victory in June 2009. Middlesbrough was another council where the Labour Party has gone from enjoying an overwhelming majority of council seats to a more qualified lead since the election of an independent mayor. Although the gains by independents in Middlesbrough have not been as great as in Mansfield, they have served to change the complexion of the council chamber. The change cannot be attributed entirely to the introduction of the executive mayor as Labour councillors may also have been victims of popular reaction against a government in its third term. Yet, in mayoral authorities the success of independent or minor party candidates indicates that the system is providing electors with new

options instead of voting for the Conservative Party who are the opposition at a national level. As such, the executive mayors were making a significant difference in helping to change the party political composition of council chambers where the system had been adopted.

Council	Pattern of control (including 2009 elections)	% of time controlled by Leading Party
Bedford (including elections for the new unitary authority)	No overall control 1973-1976 Conservative 1976-1986 No overall control 1986 to date	27.78%*
Doncaster	Labour 1973 – 2004 No overall control 2004 to date	86.11%
Hartlepool	Labour 1995 – 2000 No overall control 2000 – 2004 (includes Liberal Democrat-Conservative coalition) Labour 2004 to 2008 No overall control 2008 to date	64.29%
Hackney	Labour 1964 to 1968 Conservative 1968 to 1971 Labour to 1971 to 1990 No overall control 1990 to 1994 Labour 1994 to 1997 No overall control 1997-2002 Labour 2002 to date	73.33%
Lewisham	Labour 1964 to 1968 Conservative 1968 to 1971 Labour 1971 to 2006 No overall control 2006 to date	84.62%
Mansfield	Labour 1973 to 1999 No overall control 2003 to 2007 Mansfield Independent Forum 2007	85.71%
Middlesbrough	Labour 1995 to date	100%
Newham	Labour 1964 to date	100%
North Tyneside	Labour 1973 to 2004 No overall control 2004 to 2008 Conservative 2008 to date	86.11%
Torbay	Liberal Democrat 1997 Conservative 2000 Liberal Democrat 2003 Conservative 2007 to date	58.33%* (Liberal Democrat)
Watford	Labour 1973 to 1999 No overall control 2000 to 2002 Liberal Democrat 2002 to date	75.00%

Table 11: Patterns of control since the last reorganisation (1965, 1972 or 1995)

Source: BBC Election 2006, 2007, 2008 and 2009

Having considered how many council candidates from the main political parties were standing, the next aspect is to consider which ones were elected. Evidence was sought of examples where the previously dominant political party might lose the mayoralty and where the victors would subsequently secure their position by gaining an increased numbers of councillors. There are two particular thresholds that matter. Firstly, does the executive mayor have the support of at least one third of the councillors in order to secure the adoption of his or her budget? Secondly, does the mayor have a majority of councillors in order to prevent any constitutional changes, including a motion to abolish the executive mayoralty itself? Before reviewing the impact on the main national political parties, Mansfield must be considered as this council, which had known only Labour Party control from 1973 to 2003, experienced a significant political change one year after electing an independent mayor by also electing a majority of independent councillors allied to that mayor. In 2005 these councillors formed a separate political party: The Mansfield Independent Forum and were subsequently re-elected with the executive mayor as a majority group in 2007.

Table 12 (p178) illustrates that having an executive mayoral system has been accompanied by a decline in representation for the Labour Party even though that political party was contesting the most council seats. It can be seen that in eight of the twelve mayoral authorities – 75% of the total – there has been a change with the previously dominant political party either being replaced or losing overall control. In this respect the introduction of executive mayors has made a substantial political difference to the council chamber.

Council/Year of Election	Conservative	Labour	Liberal Democrat	Minor parties and independents	Mayor (year of re-election)
	Councillors elected (number of candidates)				
Bedford					
2002*	24 (54)	14 (54)	12 (54)	4(26)	Better Bedford Independent
2003	5 (18)	3 (18)	5 (18)	5 (20)	
2004	5 (18)	6 (18)	5 (18)	2 (31)	
2006	7 (16)	3 (18)	5 (18)	3 (19)	
2007	7 (19)	3 (19)	7 (19)	2 (30)	Better Bedford Independent
2009**	9 (36)	7 (36)	13 (36)	7 (26)	Independents/minor parties
Doncaster					
2002	3 (22)	14 (22)	3 (8)	1 (10)	Labour
2003	2 (21)	15 (21)	3 (120)	1 (23)	
2004*	9 (44)	27 (63)	13 (27)	14 (36)	
2006	3 (18)	9 (21)	3 (10)	6 (30)	Labour (2005)
2007	3 (17)	10 (21)	5 (9)	3 (24)	
2008	3 (21)	8 (21)	4 (9)	6 (37)	
Hackney					
2002	9 (56)	45 (57)	3 (26)	0 (58)	Labour
2006	9 (56)	44 (57)	3 (56)	1 (52)	Labour
Hartlepool					
2002	2 (6)	9 (16)	3 (10)	2 (5)	Independent
2003	2 (6)	6 (15)	6 (13)	3 (9)	
2004**	4 (16)	25 (37)	9 (31)	9 (27)	
2006	2 (7)	10 (16)	1 (15)	3 (25)	Independent (2005)
2007	1 (7)	6 (16)	4 (10)	5 (20)	
2008	2 (11)	7 (15)	2 (8)	4 (15)	
Lewisham					
2002	2 (54)	45 (54)	4 (39)	3 (48)	Labour
2006	3 (54)	26 (54)	17 (54)	8 (53)	Labour
Mansfield					
2003	2 (22)	15 (46)	4 (4)	25 (37)	Independent (2002)

Council/Year of Election	Conservative	Labour	Liberal Democrat	Minor parties and independents	Mayor (year of re-election)
Councillors elected (number of candidates)					
2007	1 (6)	12 (44)	4 (8)	29 (41)	Mansfield Independent Forum
Middlesbrough					
2003	3 (7)	31 (44)	6 (20)	4 (13)	Independent (2002)
2007	6 (25)	26 (43)	5 (13)	11 (26)	Independent (2007)
Newham					
2002	0 (31)	59 (60)	0 (7)	1 (46)	Labour
2006	0 (60)	54 (60)	0 (10)	6 (107)	Labour
North Tyneside					
2002	7 (20)	10 (20)	3 (20)	0 (1)	Conservative
2003	7 (20)	11 (20)	2 (20)	0 (1)	Conservative (by-election)
2004*	27 (58)	26 (60)	7 (27)	0 (10)	
2006	10 (16)	7 (20)	3 (11)	0 (5)	Labour (2005)
2007	10 (18)	8 (20)	3 (12)	0 (9)	
2008	11 (18)	6 (16)	3 (13)	0 (6)	
Stoke on Trent					
2002*	6 (19)	21 (60)	11 (23)	22 (53)	Independent
2003	2 (17)	11 (20)	1 (16)	6 (27)	
2004	2 (20)	13 (20)	0 (1)	5 (40)	
2006	2 (18)	6 (20)	3 (9)	9 (29)	Labour (2005)
2007	3 (18)	7 (20)	2 (14)	8 (38)	
2008	2 (16)	4 (20)	2 (14)	12 (44)	
Torbay					
2003	9 (36)	0 (7)	27 (36)	0 (12)	
2007	24 (36)	0 (12)	9 (36)	3 (38)	Conservative (2005)

Council/Year of Election	Conservative	Labour	Liberal Democrat	Minor parties and independents	Mayor (year of re-election)
	Councillors elected (number of candidates)				
Watford					
2002	2 (12)	4 (11)	6 (12)	0 (11)	Liberal Democrat
2003	1 (12)	0 (12)	10 (12)	1 (16)	
2004	1 (12)	0 (12)	10 (12)	1 (12)	
2006	1 (13)	1 (13)	10 (12)	1 (13)	
2007	1 (12)	1 (12)	9 (12)	1 (13)	Liberal Democrat (2006)
2008	21(12)	1 (12)	9 (12)	1 (19)	

Table 12: The number of councillors elected in mayoral authorities

* indicates all council seats were contested on new boundaries instead of just one third of seats

Sources: Rallings and Thrasher 2002:2,4-6,8; 2003:1,3-5,15; 2004:1,3,4,7; 2006:2-5,8; 2007:3,5,6,16; 2008:3,5,7,8, www.bedford.gov.uk 2009

Within these overall results there are some interesting patterns of political party behaviour. The number of candidates may be distorted by two effects. Firstly, a political party may by administrative error fail to submit valid nomination papers on time, although it could also be argued that failure to ensure nomination is indicative of a moribund or dormant organisation. Secondly, an additional problem occurs when new ward boundaries mean a council breaks from its usual cycle of election by thirds to have all out elections. Here, instead of 18 or 20 candidates needed at one time, a political party may require 60 or more. The inability to find volunteers to come forward may as much be due to national political issues or a belief that being a councillor is not desirable as much as the poor state of the local political party organisation. In 2008 the Conservative Party achieved its best share of seats won in these executive mayoral authorities since 1999 and did so by contesting fewer seats, supporting a view that targeting resources may be a deliberate strategy rather than

an indication of weakness. The Labour Party in 2008 was still contesting by far the most seats of the main parties, although the number it won continued to decline. Therefore, it does appear that changing to the executive mayoral system has had an political impact on the representation of political parties on the council itself. Not all of this change can be attributed to the change in the system since these elections occurred over a period in which the Labour Party was experiencing a considerable decline in local government performance.

Reviewing Table 11 (p174), shows that there are some interesting patterns of local political party control. Bedford remains a council with no overall control although the Conservatives were able to defeat the councillor who was the Labour Group Leader, and also deputy mayor, in 2006. The elections for the new unitary authority in 2009 produced a further change with the Liberal Democrats overtaking the Conservatives as the largest political party on the council (Table 12 p178)⁶². What is notable is that the “political space” was not occupied solely by the three main national political parties. The late Frank Branston formed the Better Bedford Independent Party to contest the initial mayoral elections in 2002 and in 2005 Mayor Egginton formed the Mansfield Independent Forum to contest his mayoral re-election campaign and the council elections in 2007.

The politics of Doncaster are complex since the Labour Party has lost its position as the dominant majority party. It is arguable that the timing of an all out election in 2004 was a significant factor, since it followed large pay increases for council officers despite the “Donnygate” local government corruption scandal (*The Guardian* 28 May 2003, Elcock 2008:799). The opposition in Doncaster is split, partly on party political grounds between Conservative and Liberal Democrats and, more significantly, on personal grounds between the Community Group and Alliance of Independent

⁶² BBC Elections 2009

http://news.bbc.co.uk/1/shared/bsp/hi/elections/local_council/09/html/4157.stm

Councillors (Cllr Maye, interview data). The division between the opposition political parties and independents may not be significant as Doncaster's constitution does not require the mayor to consent to any change in the constitution (Doncaster 2005:section 15) and a majority of councillors voted for a referendum to abolish the executive mayoralty in 2006 (*Doncaster Free Press*, 1 March 2007). The victor of the mayoral election was the English Democrat candidate, Peter Davies, who was also committed to holding a referendum to abolish the post of directly elected mayor but by November 2009 no referendum had occurred.

Hackney presented an interesting case in May 2006 as the Labour mayor was re-elected, and a council seat previously lost to the Conservatives was regained. Here the introduction of an executive mayoral system has accompanied the restoration of a stable administration by the local Labour Party. The experiences of Hartlepool and Middlesbrough provide contrasts with Bedford and Mansfield. In the former two, the mayors have not sought to form political parties to contest local elections, which would have provided them with guaranteed support on the council, whereas the latter two have, though only in Mansfield have they formed the majority of councillors. In both Newham and Lewisham the dominant Labour Groups experienced losses in May 2006, with the opposition in Newham being restricted to just two wards and two opposition parties – Respect and Christian Peoples' Alliance. Nevertheless, there were more non-Labour councillors elected in May 2006 than at any time since the borough's first elections in 1964.

Lewisham's 2006 results were more serious for the Labour Party as it lost its overall majority on the council for only the second time since the borough was created in 1964. Torbay's pattern has been one of alternation between Liberal Democrats and Conservatives at each election since the council became a unitary authority in 1997. The results in May 2007 showed either the maintenance of this pattern, or that Torbay

was following North Tyneside and Watford's example, as the Conservative Party won the majority of council seats. In these councils, the opposition political party won the mayoralty and in subsequent local elections was able to increase its strength on the council, especially in Torbay and Watford. The above analysis enables some tentative conclusions to be drawn about the political difference being made, or not, by executive mayors.

Conclusion

Electing executive mayors was offered as a solution to the problem of local government lacking legitimacy, therefore understanding the electoral system that was chosen for this new political office as well as examining the election results will illustrate whether this deficit was reduced and political difference was being made. As was illustrated by Figure 1 (p40), a key government objective was to ensure that executive mayors enjoyed a greater legitimacy and accountability than their indirectly-elected cabinet-leader alternatives or indirectly-elected council leader predecessors. Therefore, the election results and campaigns were considered to determine if the introduction of new direct elections under a distinctive electoral system had brought about any changes in the pattern of political representation in each locality.

The chapter commenced with what should be called “the debate that did not happen”, a discussion of different electoral criteria to determine who ought to be the victor as well as reviewing the various electoral systems by which the ballot could be held. Although there was some reference to different electoral systems in the Green Paper for London's strategic mayor (DETR 1997:10), there was no mention of the final system adopted, Supplementary Vote (SV). The legislation declined to use either alternative vote, which had been advocated by key lobbying organisations such as the Commission for Local Democracy (CLD 1995: 27) or the dominant European

system, double ballot (Magre and Betrana 2007:184). Not only was it surprising that SV was adopted given the lack of references to it prior to the legislation, politically it represented an unusual choice for executive mayors as by the time the Local Government Bill was enacted, there had been only one use of the system in the UK, in London, in which the Labour Government's candidate had come third (D'Arcy and MacLean 2000:268).

In reviewing the outcomes of the 27 executive mayoral elections held between 2002 and 2009, there was some reassurance for SV's advocates as in four contests (Mansfield and Stoke-on Trent 2002, North Tyneside 2005, Doncaster 2009), the candidate who came top of the poll on first preferences went to to lose once the second preferences were allocated. Given that SV originated from a Labour Party review of electoral systems (Plant 1993:57-59), it was necessary to test whether or not these distinctive outcomes were the product of a systemic bias in SV itself, hence the following hypothesis was used:

H1 Supplementary Vote (SV) enabled more Labour Party candidates to win than Single Member Plurality (SMP)

H1_{null} SV produced outcomes that are no different to SMP.

Of the four examples of a candidate moving from second to first place with second preference votes, only in one case, that of North Tyneside in 2005, did the Labour Party candidate benefit from SV. In two instances the Labour Party saw its candidate defeated when the candidate who came second on first preferences benefited from the transfer of second preference votes. The fourth case involved an independent and the English Democrat Party candidate. Hence, the null hypothesis was supported as far as the electoral system was not producing systemic bias.

A second aspect of the elections considered was whether executive mayors would stimulate a greater turnout by the voters. Canadian research (Blais and Gélneau 2007:437) has found that where the electoral system is accepted, even those who back defeated candidates are more likely to accept the winner's legitimacy than those who did not vote at all. Here the data were not convincing as on average turnout at executive mayoral elections was only 34.63% for all first preference votes. It is difficult to draw inferences, partly because the data set was, in 2009, too small for conventional statistical testing and partly because of the differing circumstances of each election, for example, combined with a general election, using all postal ballots and so forth.

It was possible that executive mayors could enhance their legitimacy if they secured, through the SV system, a larger share of support from those who did vote. Reviewing the election results did confirm a more worrying feature of SV, previously identified by van der Kolk (2008:421), that the system was vulnerable to electors "wasting" their second preference votes by casting them for candidates who were eliminated or by not using them at all. The election outcomes confirmed that in 14 of the 27 cases, there were more "wasted" second preference votes than the victor's majority. That so many executive mayors were elected in this way calls the electoral system into question since it undermines the mandate and legitimacy the winner might enjoy.

Another aspect of the electoral system where evidence that executive mayors were producing a political difference to councillors was whether they were securing a better share of the vote, or a larger share of support from the registered electors. The following hypothesis was used to test this:

H2 Executive mayors will receive proportionately more votes than councillors from electors at the polls and so increase their legitimacy.

H2_{null} Executive mayors will receive the same, or proportionately fewer votes than councillors from electors and so have no more, or less, legitimacy than councillors.

Measuring both the share of the vote and the share of the electorate found that executive mayors received less support than councillors. The respective shares of the vote were 46.48% for mayors and 49.91% for councillors and for share of the electorate it was 16.08 to 17.19% respectively. A t-test confirmed that this difference was statistically significant for the share of the vote and just under the significance threshold for the share of the electorate.

Factors accounting for this include the much smaller size of councillors' electoral areas as well as lack of resources of local political parties (Wilks-Heeg and Clayton's 2006:86). What is particularly worrying for those who support elected mayors is that those who indicated they might vote in pre-election surveys (DETR 2001a:1617) have not yet made it to the polls.

There were some positive indicators from the data. The two main political parties – Conservative and Labour – have concluded that contesting these elections is important as a means of maintaining, or even raising the profile of the political party locally. That the Conservatives have now taken a majority of council seats on North Tyneside as well as Torbay councils is an indication that there is a recognition of the interconnectedness of winning one leading to victory in the other. That the Liberal Democrats, the third main party in the UK have not taken this stance is more interesting, although from a theoretical perspective the ability of the Doncaster Liberal Democrats to endorse an independent candidate may open a new dimension in local government party politics. The interplay between winning the mayoralty and control of the council was tested more formally by the following hypothesis:

H3 Winning control of the mayoralty by a political party will deliver an improvement in the number of councillors where that party is not also the party in power at Westminster.

H3_{null} Winning the mayoralty has no impact on the number of councillors in that authority area.

In Watford and Mansfield the formerly dominant Labour Party has been replaced by the Liberal Democrats and an Independent, now a minor party politician, while in Middlesbrough the success of an independent mayoral candidate in two elections has been accompanied by the growth of a large number of independent councillors, substantially reducing the Labour councillors' majority. Having gained the mayoralty in North Tyneside in 2005 the Labour Party lost control of the council to the Conservative Party in 2008 and lost the mayoralty a year later. Doncaster's Labour mayor was re-elected in 2005 but the Labour councillors continued to lose seats resulting in the mayor losing a re-selection battle, not seeking re-election and the Mayoral office being won by Peter Davies of the English Democrats in 2009. For the Liberal Democrats winning the mayoralty has been associated with building a solid majority in the council chamber. For independent and minor parties the pattern is mixed with the late Mayor Branston's Better Bedford Independent Party making little headway in the council elections whereas Mayor Egginton's Mansfield Independent Forum councillors secured an overwhelming majority in 2003 as independents and retained it in 2007 standing as partisan candidates.

For all the dominance of political parties in the mayoral election process, there is evidence that the office of executive mayor has established itself as being distinctive in the minds of some of the electors. The clearest case of this was in Hartlepool where in 2005 electors choose both a Labour MP and an independent mayor in

elections held on the same day. In North Tyneside there was a strong belief by the defeated incumbent and the challenger that trying to run a combined Parliamentary -mayoral election campaign was a factor in the Conservative Party's defeat in 2005.⁶³ The trend whereby electors split the votes between different contests had been noted by Miller (1988:171) and Rallings and Thrasher (1997:153-154) and the mayoral election data available so far indicates support for this finding. The data illustrate how executive mayors have made a political difference both in who was elected and their impact on the balance of representation by the political parties on the councils themselves. Examining the electoral system for executive mayors and its consequences assists in understanding the political difference they have made by considering what the process has done to address the legitimacy deficit. Having been elected, how executive mayors discharge their office can be examined to determine what difference has been made to address the leadership deficit, which also provides actions for which mayors can be held to account both by councillors and electors when they next face re-election.

⁶³ The candidates from 2005 will be contesting the mayoralty in 2009, albeit with their roles reversed.

CHAPTER SIX: A CONSTITUTIONAL ANALYSIS OF CRISIS AND ROUTINE

Introduction

Once elected to office, the challenge for understanding the political difference made by executive mayors can be assessed by examining how they have operated. By reviewing the White Papers it is observed that the government set some expectation of what modernised local government, including directly elected executive mayors, would achieve, namely:

'...to lead their local communities. They organise and support partnerships to develop a vision for their locality, and to contribute to achieving it. They strive for continuous improvement in the delivery of local services...Councils need new structures which create a clear and well known focus for local leadership. Local people should know who takes decisions, who to hold to account, and who to complain to when things go wrong.' (DETR 1998g:8,18)

How executive mayors have operationalised this ideal will be investigated by examining two contrasting activities: first, the routine delivery of services as measured for all local authorities by the Comprehensive Performance Assessment (CPA) and second, the challenge of responding in a time of crisis. Such an approach is consistent with the most different systems comparative approach (Przeworski and Teune 1982:34-36) and allows for an investigation not only of how each mayoral authority tackles the different challenges, but also permits comparison between them to determine if there is a wider, generalisable political change that can be attributed to the introduction of executive mayors.

Since exercising leadership occurs in a formal as well as an informal manner in local government, it is also necessary to consider the requirement for each council, including executive mayoral authorities, to adopt a formal constitution (ss.37-38 LGA 2000). Examining the impact of these constitutions is important since they determine the formal parameters within which executive mayors act.

Constitutions must also be understood in the context that English local councils. Local authorities do not have a power of general competence but have their functions delimited under the legal doctrine of *ultra vires*; they may only undertake actions and functions permitted by the law (Loughlin 1996a:45-46). Therefore, one of the leadership roles to be investigated is the ability of executive mayors to overcome these constraints and develop their role beyond the limitations of the legal-bureaucratic framework that underpins English local government. Using a “most different systems” (Prezworski and Teune *ibid*) method, the operation of mayors can also be observed within two contrasting contexts: routine performance as measured by the government and at times of crisis. Here the constitution can be as a tool that either enables or prevents the executive mayor from undertaking their governmental functions.

The word “constitution” is a contested term, with concepts ranging from it being a supreme law - *lex superior* - to it being another set of rules. There were particular concerns that studying the constitutions as abstract documents would not address the findings of how such laws and rules were used on a daily basis. Yet, as Rae (1971:3) stated: *'If the law were a matter of indifference to the groups whose interests are affected by it, then politics – the process by which law is formed – would be a matter of indifference to us all'*. One of the advantages of the reinvigoration of institutional studies⁶⁴ is that the study of political institutions can now bridge this

⁶⁴See for example March and Olson 1984, 1898 and 1995 and Peters 2005

conceptual spectrum of formal and informal rules by investigating constitutions in use.

According to the government, Council constitutions were meant to be the citizen's key source to explain how the local authority operates (DETR 2001b:5) and they were placed by Leach *et al* (2005:8) at the very centre of their concept of the local political context. While the constitutions drew heavily on the UK government's models and are dependent on any guidance the Secretary of State may issue (s38 LGA 2000), their drafting and introduction were left largely to local councillors and local government officers, with support through a model constitution commissioned from academics (DETR 2001). Not only were they imposed on citizens, contrary to the pleadings of Thomas Paine who asserted: '*A Constitution is not the act of a Government, but of a people constituting a Government; and Government without a Constitution is power without a right.*' (Paine 1996[1792]:141), but the constitution had to be adopted before the first mayoral election had occurred.

In no council was any evidence uncovered of citizens having a role in the drafting of the council's constitution. Therefore, it is possible that constitutions could be conceptualised as lower-order rules similar to the standing orders they supplanted, rather than being accorded the higher status that the word "constitution" would otherwise imply. Since constitutions have been introduced the effects of their implementation will be investigated, especially decision-making processes as these relate to the interaction of leadership and representation. In particular, evidence will be sought of mayors being able to undertake new actions, or being prohibited from acting because of the interpretation of formal rules. Understanding this is important since one of the objectives of the LGA 2000 was to provide more visible, accountable decision-making (DETR 1999:4,6). Examples of the constitution facilitating or frustrating the executive mayor's capacity to determine courses of action, which will contribute to understanding the political difference the new post has made.

In the case of executive mayoral councils the government guidance formula in relation to summarising decision-making appears to have been largely replicated:

'...this constitution, which sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and that those who made the decisions are accountable to local people.' (Bedford 2003:article 1, DETR 2001a:13, Hackney 2006:5, Newham 2006:3)

or:

'...this constitution aims to: lead to effective and efficient Council decision making make it clear to local people who is making decisions on their behalf.' (Lewisham 2007:23) .

As constitutions are applied to nations, it has been argued that they are more appropriately understood as a set of maxims from which the government derives legitimacy rather than an instruction manual (Lane 1996:9). A willingness to use constitutions for guidance builds on attitudes to local government law identified by Cooper (2000:123), who suggested that participants might be quite willing to test the boundaries of any legislation rather than consider it a means of restraint. Since executive mayors can claim legitimacy from having been elected, seeking to act flexibly is evidence of reducing the leadership deficit and so illustrates a political difference attributable to the innovative post. The approach adopted here follows earlier studies of formal rules as applied in a national context such as those by Wilson (1887) and Dicey (1959[1908]). Augmenting this, the chapter will consider the informal “rules in use”, and seek instances when formal laws may be adjusted to provide that which is “appropriate” (March and Olsen 1989:22 1995:46, Lowndes and Wilson 2003:279, Peters 2005:30).

The chapter's first section adopts and adapts the analytical framework adopted by the Government's own evaluation team, ELGNCE (Stoker *et al* 2002:4, 2007:9), who parsed the concept of decision-making into a series of distinct choices underlying

how subsequent policy decisions would be made i.e. the “power” of the leader to appoint cabinet members, to assign portfolios and to make independent decisions. For brevity, these three constitutional powers will be known as “powers” (Stoker *et al* 2002:4). Understanding which of these “powers” a leader did or did not possess would enable the discharge of authority within each council to be plotted on a continuum with one pole representing “concentrated power” - the leader had all three powers, and “deconcentrated power” - the leader had none (Stoker *et al* 2004: *ibid*). The labels adopted by the ELGNCE team are an extension of Stone's (1989:229) analysis of Atlanta, which concluded that effective leadership related to politician's abilities to exert “power to” enable the council and its stakeholders to achieve objectives rather than simply exercise “power over” an organisation. As Figure 1 (p40) illustrates, one of the key failings in local government that reforms such as the introduction of executive mayors was meant to address was to provide visible, accountable leadership, of which decision-making is a core element. Furthermore, variations might be found as each council was tasked with drafting its own constitution prior to the first mayoral election, a function that was entrusted to councillors, thereby allowing some differences in the powers and definitions between the authorities rather than simply adopting a common template. Hence these three “powers” will be used as the starting point for a comparative investigation of the English executive mayors.

In addition to this, the section will examine the consequences of the need for a subsequent full council meeting, with at least two thirds of the councillors voting in favour, to amend the constitution. Given that a number of mayors either as independents, or as members of political parties, faced councils in which there was the possibility of their opponents being able to muster the two thirds vote, one additional “power” to be considered is whether the executive mayor has a veto to protect their own office. It is crucial to ask: is there a protective clause in the

constitution requiring the mayor to consent to any constitutional change that affected their office? An hypothesis will be advanced that incorporates this addition and which is tested using Qualitative Comparative Analysis.

Having examined the range of powers that may be provided to executive mayors in routine affairs, mayors' access, or lack of it, to wider powers in a crisis will be considered since this could provide additional insight into how the mayor and senior council officers apply the constitution. It is possible that interpretations of the constitution could serve to facilitate the mayor's role as a decision-maker in an emergency, equally, an overly rigorous interpretation could leave the executive mayor marginalised, or even impotent, in which case identifying who wields power in a crisis could provide a better understanding of how local government operates.

In the second section the theoretical issues concerning emergency powers and their implications for practice in local government will be investigated. A brief overview of two contrasting US cities – New York and New Orleans and how their mayors handled their respective terrorist and national disasters – will be undertaken with special attention being paid to the powers provided to them by their city charters - the equivalent of English councils' constitution. These cities were chosen partly because of their experiences with crises and partly because they represent the two most common types of US mayoral model that may have influenced the English idea. The final section of the chapter will review the English executive mayoral authorities' emergency plans. The findings obtained here will provide analysis of another facet of the political operation of local government and hence differences that may have been brought about by the introduction of executive mayors. The arguments about mayoral “powers” will now be reviewed.

Exercising Mayoral Authority: Powers to Decide and Appoint

Understanding how mayors discharge their office is important in evaluating the degree to which they have been able to effect political change in their locality. If they cannot make a difference, then the whole basis of this element of the Labour Government's reforms can be called into question. In order to make such changes, the executive mayor needs to be able exert some power within his or her council, within the framework permitted by the constitution. Two measures will be examined here: the extent of the mayor's powers over the cabinet and the impact of the decisions made as identified through the independent assessment by the Audit Commission.

The initial area to be examined is the allocation of powers over the cabinet and council to the executive mayor. ELGNCE's analysis suggests that there may be a co-variational relationship between the powers allocated to leaders in non-mayoral cabinets and the performance of those councils as measured by the Audit Commission's CPA score, although the relationship was stronger in 2002 than in 2006 (Stoker *et al* 2007:15). Yet, the theoretical basis for these correlations could be questioned. If the three "powers" examined by ELGNCE were represented as variables: A for the power of the executive mayor to make decisions alone, B for the mayor's freedom to appoint cabinet members and C for the mayor's freedom to allocate portfolio, the relationships could be shown in logical terms as:

$$A \cdot B \equiv A \cdot C \equiv B \cdot C$$

The powers are shown as identical since in the ELGNCE analysis (Stoker *et al* 2004:4, 2007,9) treats any combination as being equal and interchangeable. There could, however, be strong empirical and theoretical reasons for an executive mayor preferring the freedom to appoint cabinet members and allocate responsibilities over

the freedom to make decisions alone. By appointing cabinet members the executive mayor may bind a political party group to supporting his or her budget and by allocating portfolio responsibilities to those cabinet the mayor may have more control over policy delivery. Such choices could have consequences for task accomplishment (Leach and Wilson 2000:16, 2002:667, 2004:140) as well as governing (Elcock 2001:105-106).

Table 13 (p195) summarises the ELGNCE findings (Stoker *et al* 2004:22:, Stoker *et al* 2007:54 Gains *et al* 2008:653-654), which were similar to the responses to an earlier survey by the same team in 2002 (Rao 2005b:51). The data refer to all local authorities and therefore cover directly elected mayors as well as indirectly elected council leaders. What is most significant from this data is the difference between the three different groups of respondents. Officers have the most positive replies in all the three categories and the percentage responding positively increases over the course of the surveys (2002 to 2007). For councillors, most of whom are backbenchers and not part of the decision-making executive, there is a noticeable decline in positive comments in all three categories, with the largest fall being in the number who think decision making is quicker. Stakeholders too register the largest decline in this category, leaving council officers as the anomalous respondents because of the increase they reported. Such findings are significant since they illustrate that the main beneficiaries of the Local Government Act 2000 reforms were officers, the town hall insiders, rather than the electorate or the wider community. It is important to note that this data applies to all local authorities and not just to executive mayors.

	Councillors	Officers	Stakeholders
Agrees that leadership is stronger	73% (2004) 69% (2007)	74% (2004) 76% (2007)	65% (2004) 59% (2007)
Agrees that decision making is quicker	52% (2004) 49% (2007)	55% (2004) 62% (2007)	39% (2004) 31% (2007)
Agree that it is easier to identify the decision maker	38% (2004) 39% (2007)	48% (2004) 56% (2007)	34% (2004) 30% (2007)
n=	825-842	527-533	396-418

Table 13.: Changing attitudes towards leadership and decision making in all English local authorities

Sources: Stoker *et al* 2004:22.; Stoker *et al* 2007:54 Gains *et al* 2008:653-654

ELGNCE's findings also cast doubt on the post 2000 system's openness with cabinet members stating that they spent 12 hours per month in private meetings, either pre-cabinet briefings or group meetings, compared to just 5 hours in open cabinet meetings (Stoker *et al* 2004:33) which was over two hours in a private forum for every hour they spent in meetings open to the public. Given that the government and academics have noted, sometimes critically, that the political party group is the place where the main decision-making took place, the legislative changes have made little or no visible impact except to move the key decision-making forum from the political party group back to a small number of leading councillors (Bulpitt 1967:121-122, Game and Leach 1996:131, Hodge *et al* 1997:4, DETR 1999:4, Copus 2004b:15).

ELGNCE also attempted to identify a co-variational relationship between the adoption of certain powers by council leaders and changes in performance of those authorities (Stoker *et al* 2007:78-80). The government has used the Comprehensive Performance Assessment (CPA) system of independent inspections by the Audit Commission to measure how well councils were delivering the whole range of functions and services, including political leadership. Since these CPA findings are

available for all councils, and they are repeated over time, they permit measurement both of longitudinal change within a single authority as well as variations between councils. There is a criticism against this choice of a dependent variable as performance measurement systems have been criticised for encouraging organisations to focus only on that which will raise their score and in the long term this encourages only perverse effects (De Bruijn 2002:21). There has been some recognition of this possibility and the Audit Commission changed its evaluation scheme and grading system in 2006 to try and ward off such negative consequences (Audit Commission 2007a:4).

The process of performance measurement also has strong theoretical implications for the role of local government since it could restrict attention only to the delivery of services when other investigations, notably the Redcliffe-Maud Commission, emphasised '*Local government is more than the sum of the particular services provided.*' (Redcliffe-Maud 1969: para 576). The data present a number of challenges for analysis since the different tiers of local authorities were inspected at different times, with London Boroughs and unitary authorities receiving more attention than second-tier borough and district councils. There was a further complication in that those authorities rated "poor", as a number of mayoral authorities were in 2002, received more inspection attention and support from central government to facilitate improvement. Therefore, the change in the dependent variable may be better explained by the impact of government intervention rather than the structural change of introducing executive mayors. The use of performance could be an appropriate dependent variable in that it does reflect one of the government's prime concerns – the desire to improve public services, which is illustrated in the very title of one White Paper: *Strong Local Leadership, Quality Public Services* (DTLR, 2001). Hence there was some merit in trying to consider the impact of the introduction of executive mayors on council performance, especially since one of the

possible goals of an executive mayor was to turn round a failing authority, which was relevant in the cases of Hackney, North Tyneside and Torbay, which had been graded in the lowest category, “poor”, in 2002 (Audit Commission 2002a:17).⁶⁵ .

The Powers of Executive Mayors

ELGNCE reported that there was evidence supporting a causal relationship between the powers of a council leader and the authority's performance (Stoker *et al* 2007:66-68). If executive mayors were making a political difference, it is assumed that this relationship would be found in executive mayoral authorities as well. To facilitate analysis and comparison with executive mayors, the three constitutional conceptual questions employed by ELGNCE have been used as a starting point: could the mayor choose who is to be in the cabinet, which portfolios to allocate them, and did the constitution allow individual decision making?

The theoretical inference is that the more powers an executive mayor possesses, the better the CPA score their council will receive. An additional variable, the presence or absence of a constitutional clause requiring the executive mayor to consent to any proposal by the full council to change their powers, what shall be termed here a “veto” provision, will be taken into account. The variable will assist analysis in situations where a mayor is an independent, or belongs to a political party facing a council dominated by his opponents and can also be used as an indicator of the mayor's power in their own council. Presence of a veto power ensures that the executive mayor retains some protection against a hostile council chamber. It may also be useful where a once dominant local political party was facing a changed environment where it controlled the executive mayoralty, but lost its majority on the

⁶⁵ As drawing causal inferences becomes difficult using conventional variable-based methodologies on account of the small population, use will be made of Qualitative Comparative analysis (Ragin 1987, 2000)

council itself. Moreover the ability of councillors to use the constitution as a counter-weight to the mayor may offer reassurance to those who, like most councillors, have feared that the new system concentrates too much power in the hands of the executive mayor (Rao and Young 1999:60). As illustrated in Table 12 (p178), there are a number of councils where the mayor does not enjoy the support of a majority of councillors.

In operationalising the data to analyse executive mayoral authorities there are a number of difficulties. First, the council constitutions themselves may not be the comprehensive statement of how the authority operates as their summary pages imply. A particular omission occurs in trying to identify whether there is collective or individual decision making in the cabinet. To overcome this, data obtained from the observation of cabinet meetings, interviews and any articles by the council in which members or officers have sought to explain what was occurring will be used.

The second problem was how to operationalise the CPA score. Initially councils were graded on a five point continuum from “poor” to “excellent”. In 2006 a star system was introduced with councils being awarded zero to four stars (Audit Commission 2006b:5). Since both scales are categorical and not continuous variables, it cannot be assumed that a “poor” rating in the first assessment framework would also score a zero star rating in the current scheme. An alternative approach was to consider the direction and pace of change score included in the comparative data summary for each council where terms such as “improving adequately” or “improving well” are employed. While these terms are qualitative, they do reflect the government's focus on the nature and role of public services, and from an evaluative perspective they are most relevant. Moreover, these are attributes that are likely to be maintained in the new form of CPA, called Comprehensive Area Assessment that was being applied to

councils from 2009⁶⁶. It is possible to offer the following hypothesis:

H4 Executive mayors with two or more of the three powers (solo decision making, choosing cabinet members and allocating portfolios) will be shown by the Comprehensive Performance Assessment to be “improving well”.

H4_{null} Executive mayors with only one power will not be shown by the Comprehensive Performance Assessment as “improving well.”

Given the small population of executive mayors, Qualitative Comparative Analysis has been chosen to provide a reliable and valid analytical tool since it also applies statistical tools to data sets considered too small for more traditional statistical analysis⁶⁷. The first part of QCA is to convert the causal conditions into dichotomous terms that can be represented either with 1 – the condition is present, or 0 – the condition is absent. The presence or absence of the three powers lends itself readily to this form of Boolean representation and the data from the mayoral authorities is produced as Table 14 (p195).

66 <http://www.audit-commission.gov.uk/caa/index.asp> accessed 25-10-08

67 See Ragin 1987 and 2000 , Rihoux 2006 and Rihoux *et al* 2003 for a more detailed explanation of this methodology and its application.

	Mayor appoints cabinet members	Mayor allocates portfolios	Mayor makes solo decisions	Mayor has veto power over constitutional change	CPA score in 2006 was “Improving well”
Bedford	0	1	1	1	0
Doncaster	0	1	1	0	0
Hartlepool	1	0	1	1	1
LB Hackney	0	1	1	1	1`
LB Lewisham	1	1	1	1	1
Mansfield	0	1	1	1	1
Middlesbrough	1	1	1	1	1
LB Newham	0	1	1	1	1
North Tyneside	0	1	1	0	0
Torbay	1	1	1	1	0
Watford BC	0	1	1	1	1

Table 14: Summary of mayoral “powers” held in each council

Sources: Council Constitutions (various), Audit Commission (various)

Having produced the initial data table, the QCA method applies a formula, Quinne-McClusky, which seeks to reduce the whole data to the different causal combinations that are present, the output from which is called a truth table⁶⁸. The results of applying the Quinne-McClusky algorithm summarises the data into three sets as is shown below in Table 15 (p200). The output of this algorithms outlines the possible causal combinations that produce an impact on the CPA score.

⁶⁸The computer program R 2.6.1 with the QCA package devised by Adrian Duşa, University of Bucharest, December 2006 was employed.

“Power to”				Outcome Frequency	
Mayor appoints cabinet members (A)	Mayor allocates portfolios (B)	Mayor makes solo decisions (C)	Mayor has veto power over constitutional change (D)	CPA direction not improving well (number of cases)	CPA direction improving well (number of cases)
1	1	0	0	2	0
1	1	0	1	1	3
1	1	1	1	1	4

Table 15: Truth Table based on executive mayoral “powers”

Source: R-based computer analysis of Table 14's (p200) data

One finding stands out from this process. The two councils where the mayor enjoyed neither sole decision making nor a veto against constitutional change were also the two which were not identified by CPA as having a direction of travel of “improving well”. Therefore, QCA has produced some evidence that lack of formal constitutional power can impede the mayor in exerting his or her agenda or securing its delivery. One of these councils was Doncaster, which is also facing a possible referendum to abolish the executive mayoral system. From this analysis it appears as though the CPA outcome did not appear to vary according to whether the constitution permitted the executive mayor to choose their own cabinet members or allocate them to portfolios, though this may be a consequence of the small population of mayoral authorities. It also appeared to be a different finding from Stoker *et al* (2007:15) whose large-N study found a causal relationship between indirectly elected leaders having two or more of the above powers as well as having a better CPA score in 2002 although not in 2006.

To test hypothesis H4, that only executive mayors with the three powers (solo decision making, choosing cabinet members and allocating portfolios), and

demonstrate the reliability of that test to permit comparison with the Stoker *et al's* (2007:15) analysis, the probability analysis suggested by Ragin (2000:109-114) was employed. First, it was established that seven of the eleven mayoral authorities were deemed to be performing well on the CPA data from which the following frequency was calculated.

$$\frac{7}{11} = 0.636.$$

In other words, mayoral authorities were performing well in 63.6% of the cases. The next task is to set a threshold at which the outcome could be significant. Given the small population and data set, the lower threshold of “usually significant” was chosen since this is the lowest threshold at which a change would be more probable than not has a probability of .65.⁶⁹ Comparing this with the observed data produces an expected frequency of 0.6683 and a significance level of $\alpha=0.05$ (Ragin 2000:114), Therefore, the data suggests that for the executive mayoral authorities, there was a statistically significant relationship between the possession of two or more powers and having a good CPA direction of travel, which would support accepting hypothesis 4. The data also indicate that the post of executive mayor, and the impact it might have on the council's performance, is affected by the constitution. Nevertheless, this can still be considered a political difference albeit one where the impact of the executive mayor can be circumscribed if he or she relies on formal powers alone.

As the constitution is controlled by elected politicians, and not by the people, it must be treated as a political document signifying that it is created by, and largely for, the internal political processes of the council rather than as a result of a wider engagement with the general population (Paine 1996) [1792-3]:141). The findings also confirm that executive mayors have made most difference where the political

⁶⁹ Ragin 2000:109 stresses that the selection of the threshold is a matter for the researcher. Since the research question asks what political difference the introduction of executive mayors made the lowest threshold of “usually significant”, was chosen since reaching or exceeding this would support a positive answer to the core question.

context enabled them to start with, or through amendments create, a constitution that provided them with the necessary “power” to direct the cabinet through appointing and allocating their own cabinet members. In turn, this suggests that the initial legislation has made a political difference by diminishing the capabilities of all executive mayors by not ensuring these “powers” were available to all. Executive mayors must negotiate with their councillors to extend the provisions of their constitutions or learn to use powers of influence to circumvent what is written. The use of influence will be considered in more detail in chapters eight and nine in the case studies of the mayoral authorities.

Exploring the findings in more detail requires a review of how the mayoral cabinets were appointed since the degree to which mayors could exercise this freedom would be an indication of political difference. While many mayors appointed cabinets from their own political party, there were a few exceptions. Middlesbrough's Mayor Mallon stated:

'When I appoint the executive, I ask for applications of interest, so the ones that didn't apply, didn't get a chance, so they can't complain and those that did apply, I chose on merit' (interview data)

Although the Labour Group in Middlesbrough enjoyed a majority of councillors, there were non-Labour councillors in the cabinet. The political party context must also be taken into account especially regarding divisions within the Labour Group. It has been suggested that the Labour members of the first cabinet in Middlesbrough were *'prepared to put the interest of Middlesbrough above the hurt pride of the Labour group'* Leach *et al* (2005:62). According to Cllr David Budd, the Labour group leader, the main driver behind the change was partisan:

'There was a move by, to be frank, the previous Chief Executive of the Council and the Labour Group leadership at that time to go along the line of an elected mayor. The assumption always being that would be a Labour elected mayor. Middlesbrough's always been a Labour town.' (interview data)

Losing the initial election in 2002 supports the notion of “hurt pride” identified by Leach *et al* (2005:62). Yet, the Labour group had been divided since the unitary authority had been created in the mid 1990s with tensions between former Cleveland county councillors who had taken the leadership positions in the group and council over those who had been councillors just for Middlesbrough before and after the reforms (Mackenzie, local journalist, interview data). The difficulty was that such councillors were not always best qualified for the positions to which they were appointed and one of the changes that the new cabinet has been able to secure is a more meritocratic system. Since the elected executive mayoral system had been introduced, the balance of power had also altered in the District Labour Party, as former Deputy Mayor Cllr Brady confirmed: *'Well, first of all it's changed from two years ago, completely, the old guard were reduced to two or three and new guard had about 25 members.'* While not necessarily a planned outcome of the mayoral system, this is evidence that there was a substantial political change in Middlesbrough's local government politics that can be attributed to the new office.

Elsewhere, Andrew Kerr, North Tyneside's Chief Executive, stated that he argued for the inclusion of a non-Labour councillor in the cabinet, mostly to reflect the fact that the council itself had Labour as the second largest group even though it held the mayoralty. Other party political constraints occur if there are machinations within the Mayor's group – whether ideological or geographical – that may constrain the mayor's real ability to choose whom he or she wishes to appoint. Mayor Bye also appointed a Liberal Democrat member to his first cabinet when the Conservative Party was the minority group but this was not continued following the 2007 elections. The evidence here indicates that cabinet making is determined strongly by the preferences of individual mayors and their local political contexts.

Identifying the balance of power between Executive Mayor and Full Council

Since the above indicates that council constitutions are an explanatory variable, in order to consider the impact of formal rules on how executive mayors exercise power more fully, a face value reading of the constitutions was undertaken. One issue was that some constitutions had been amended, in the case of Newham 19 times since its introduction in 2002 (Newham 2006:1), which undermines the constitution's status as the *lex superior* – the supreme governance document - and instead has no more status than the previous standing orders. The core articles appear not to change with these amendments, only the supporting standing orders and rules of procedure, thereby introducing an element of stability. Furthermore, there is no direct mechanism for residents to initiate constitutional change; only councillors can do so, which confirms that the constitution belongs to the councillors, and not the people of the borough (DTLR 2001a:23).

Reviewing the constitutions did produce two clear examples of tensions between the Mayor and the Council. The first case was Doncaster where the powers of the Full Council included '*determining motions of confidence in the Mayor or Members of the Cabinet*' (Doncaster 2005:Article 4.01 (n)) whereas the constitution's section on the Executive contradicted this by stating '*A motion of no confidence in one or more Members of the Cabinet by the Full Council is NOT sufficient to terminate the office of that Member or those Members.*' (Doncaster 2005:Article 7.05, emphasis in original). It is worth noting that the local political context had been shaped by the investigations into corruption by some Labour councillors and officers, known as '*Donnygate*', which has resulted in the authority ceasing to have a Labour majority and instead being one where no political group has a majority on the full council (Wainwright 2002).

Variations between the modular constitution and the rules as adopted are evidence initially of a power struggle within the council between the councillors and the office of executive mayor since the constitutions had to be determined before the first election. Bedford's constitution reflects the council's historical context as no political party has had overall control since 1986 (BBC 2007a). First, the role of the executive mayor does not include the task of being the council's principal spokesman (Bedford 2005 7.3). No politician is assigned this role allowing for possible confusion and a diminution both of leadership and accountability. Hence in Bedford the degree of political change has also been reduced. Omitting a designated political spokesperson both negates one of the government's prime objectives from the executive mayoral system, that of providing a visible, accountable leader, as well as empowering the councillors, especially those who would be in the cabinet, since they could outvote the mayor and produce the council's statements, its "voice". As part of this power struggle, Mayor Branston reacted by allocating himself the portfolio for economic regeneration and development thus ensuring that he had a public voice in some of the most important decisions to affect the town centre.

As was noted above in chapter four, Mayor Bye in Torbay BC was denied a role in the borough's development agency. That control over this was retained by the councillors through a committee of the council was an illustration of the Liberal Democrat group's power as, from 2003 to 2007, it had a large majority on the council. What was most concerning from this context was that the harbours, and who controls them, did not form part of the constitution and identifying that a committee was responsible was only possible through interview data verified by reference to the Council's minutes on its website.

These variations confirm that the full council retains power over the constitution. The process thus could enable councillors to restrict the incumbent in a number of ways

such as retaining certain functions to committees, where legislation permits. As Mayor Bye commented when describing his exclusion from some key roles:

I have to say I'm not a person for details, I just make of it what I can but the legislation, the rules that govern me, our own council's constitution which to begin with I wondered if I'd been rather stitched up. (interview data)

Moreover, if the constitution did not grant the mayor a veto power over future changes it could mean that he or she may become vulnerable if their political party fared badly at the local elections. In chapter seven the operation of the constitution under routine circumstances will be considered in great detail. Next, the chapter will consider how formal rules constrain or empower the executive mayor in times of crisis.

Floods and Terrorism: Executive Mayoral Responses in a Crisis

In late June 2007 England was struck by severe weather including major flooding in two of the executive mayoral authorities, Doncaster (26-28 June 2007) and Mansfield. In addition to this, there were several terrorist incidents over the research period with one of the 7 July 2005 bombings being close to Hackney's borders while a second explosive device failed to detonate on a bus in that borough on 21 July 2005⁷⁰. The attempt to drive a car packed with gas canisters into Glasgow airport's terminal building on 30 June 2007⁷¹ is relevant since both Newham and Doncaster contain airports while Middlesbrough and Hartlepool have a nuclear reactor in their vicinity (Cleveland 2005:15). Moreover, legislation defined local authorities as category one responders (schedule 1, CCA 2004) with extensive duties to prepare plans to respond to a crisis (s.2 CCA 2004).

70(<http://news.bbc.co.uk/1/hi/uk/4730145.stm>)

71(<http://news.bbc.co.uk/1/hi/scotland/6257846.stm>)

Given that executive mayors were promoted on the basis that they would provide faster decision-making, greater accountability and visible local political leadership (DETR 1998:18, DETR 1999:3) the chapter will consider how this was delivered in theory and in practice during an emergency. Therefore the following hypothesis will be offered for testing:

H5 Executive mayors will have the lead role in leading the council's response to an emergency.

H5_{null} The leadership of a mayoral authority during an emergency will be carried out by council officers, not the elected mayor.

The hypothesis might be known as the “Giuliani test” since it considers whether English executive mayors have the constitutional tools to allow them to emulate the former New York Mayor's highly visible leadership during a crisis. It was tested by examining the council's own documentation, or the sub-regional emergency plan where appropriate, and reviewing the media records about the authority where it has had to deal with a real emergency. The first issue, the theoretical context of constitutional governance in a crisis will be examined.

Theoretical Approaches to Governing in a Crisis

One of the challenges faced by all constitutions, especially for national governments, is how to cope with emergencies when there may be pressure for constitutional safeguards to be ignored in order to address immediate needs. Yet, as was noted by *Finer et al* (1995:32), there could be challenges in defining what constitutes an “emergency”. Second, how could appropriate additional powers be allocated and to whom? Third, what restraints should there be on the exercise of emergency powers, if any?

The need to define the concept and scope of “emergency” relates to an underlying opinion in normative public law that the government itself must be subordinate to the law (Lane 1996:41). There is also the principle that a government should be subject to challenge in the courts, especially if there is legislation defining human rights or international commitments involved, which was the case in the UK. The position of the law may be more dominant in the conduct of English local government since the conflicts between local authorities and central government in the 1980s had resulted in a greater willingness by those involved to apply to the courts for redress, a process termed “juridification” (Loughlin 1996a:5). In addition to this, the lack of a power of general competence for local councils, and the restriction of their range of actions by the legal doctrine of *ultra vires* (Loughlin 1996a:46) indicates the subordinate status of these authorities. The UK government asserted the subordination of local government to parliament within the legal framework in a concordat signed between the government and the Local Government Association on 12 December 2007.⁷² Therefore, if local authorities have been operating in a framework that asserts the primacy of the law, then it would appear reasonable to suggest that the council constitution's will also have a dominant position.

In an emergency, however, there may be a need for decisions to be taken urgently and existing laws or procedures could hinder this, for example regulations about the principles of decision making, the publishing of notices of meetings and the contract tendering process. Regarding to whom powers are allocated at the national level in the United Kingdom, the Civil Contingencies Act 2004 (CCA 2004) emphasised that in the event of a crisis it is the Minister, the elected and accountable part of the government, who is the key decision maker rather than unelected civil servants. While these executive powers are constrained, for example the Human Rights Act

⁷² <http://www.lga.gov.uk/PressRelease.asp?lSection=0&id=SXDBAB-A784D798> accessed 13-12-2007

1998 cannot be amended or suspended by the use of emergency powers (s.23(5)(b), CCA 2004), the Act provides central government politicians a wider range of options to cope with the emergency than routine procedures would allow. Evidence will be sought of executive mayors being given a similar prominent role in their locality.

A second reason why emergency powers are problematic is that they impact on the relationships between the citizen and state, especially if a principal-agent model is followed, which defines this link primarily in terms of a contractual relationship. Typically the government would be perceived as the agent in this model, yet, in an emergency it may be necessary to reverse the roles. Such a model of government, including mayoral local authorities, which asserts the principle of sovereignty and stresses the need for the citizen to obey the laws appears to resonate with the absolutist doctrines of Bodin (1967 [1576]:19) or Hobbes (1982[1651]) rather than more liberal, individualist theories of Mill (1991:272). If a reversal of the normal relationship between governors and governed does occur, it may be necessary for the law to be explicit in defining how and when the emergency will be deemed to have ended. In addition, there is a need to specify what restraints, if any, there are on the executive during the emergency period.⁷³

While the above suggests the efficacy of suspending all or part of the constitutional framework for the duration of a crisis, it should be remembered that one of the dangers a polity faces is that institutions and constitutions play a key role in preventing tyranny (Lane 1996:33). There was also a concern in the Labour government about the possibility of corruption and LGA 2000 introduced a stringent ethical framework as well as an enforcement mechanism to reinforce probity in local government. A problem may arise if the need for decisive, prompt action during an

⁷³ S.23, Civil Contingencies Act 2004 contains a list of actions that are not permitted under emergency powers, for example s. 23(3) both prohibits the introduction of conscription or the prescription of strikes and other industrial action.

emergency may conflict with these ethical rules. These issues reinforce the need for tightly written emergency powers with clear definitions and delimitations. Yet, in the United Kingdom there was no history of a single codified constitutional document and the country has relied more on tacit rules and conventions rather than rigid rules (Finer *et al* 1995:100). It is only since 2002 that local councils in England and Wales have been required to adopt a formal, written constitution in place of their previous “standing orders” (DETR 2001:5). At local authority level, this implies the primacy of the written text, however, Sunstein (2001:9) argued that constitutions can contain areas of vagueness and disagreement, which he termed '*incompletely theorised arguments*'. He also argued that a good constitution should promote deliberation and disagreement, though he accepted that such features may not be desirable at times of an emergency when there may be a need for strong commands (Sunstein 2001:239).

In UK local government law it is possible to observe traditions that reflected both the formal, legal-positive philosophy that would require strict adherence to the written text of any constitution, or any emergency legislation as well as those which see the law as an arena for debate and compromise in which the formal text serves to legitimise conventions (Lane 1996:9). Given the lack of theoretical models to assess how executive mayors may handle crises within their constitutions and emergency plans, the research will return to the core normative models of leadership and representation to underpin the analysis. Thus, evidence will be sought from the plans for the executive mayors acting as leaders and for the chain of democratic accountability being retained. Next, two contrasting American examples will be reviewed to provide a wider context of how executive mayors could act.

Two US Mayoral Responses to Crises

There are a number of reasons why the US rather than European mayoral councils suggested themselves as good comparators for English mayoral authorities when comparing responses to crises. First, the data is more accessible since it is in English. Second, US models of mayoral government have been cited in British academic and government literature for more than 40 years (Dearlove 1979:199-207 source, DoE 1991:21, Stoker and Wolman 1991:7-12, 1992:242-251 Clarke *et al* 1996:28-30). The relevance of comparative studies as a means of investigation (Lijphart 1971:682-683, Peters 1998:1-3,) means that some examples of how US cities handled crises will be considered to determine if there were any significant similarities or differences to the responses available to executive English mayors.

Noting the hypothesis H5, that executive mayors will have the lead role in leading the council's response to an emergency, a number of questions can be investigated. First, does the scope of formal powers allocated to an executive mayor in an emergency differ significantly between the different countries, or between the different types of mayoralties? Second, did the presence or lack of these powers appear to affect the municipality's or borough's response to the crisis? Third, if the answers to the above appear to suggest that English executive mayors are lacking formal or informal powers, what could or ought to be done to amend this?

Two particular US cases of executive mayors responding to a crisis were chosen: New York City and New Orleans. These were selected as examples of cities with directly elected mayors where a severe crisis was the common dependent variable – the “9/11” terrorist attacks in the former and the natural disaster of Hurricane Katrina in the latter. The constitutional form of the city government was employed as the independent variable with New York City being an example of what has been termed

the “strong mayor” or “concentrated power” city whereas New Orleans could be classified as a member of the mayor-council model also known as a “weak mayor” or “de-concentrated power” model (Svara 1990:47, Copus 2004a:577). The city charters will be reviewed to identify the various provisions made within them for dealing with emergencies. Additionally, detail will be provided by referring to some of the media coverage of the two crises to illustrate how the relevant incumbents – Mayor Giuliani and Mayor Nagin – were perceived to have responded.

In formal constitutional terms, the Mayor of New York's city charter provided him or her with an unequivocal declaration of executive authority and control over staff by stating: *'The mayor shall be the chief executive officer of the city.'* (New York 2004:article 3). His or her control over senior members of staff is also quite considerable with the constitution saying:

'...a. The mayor shall appoint the heads of administrations, departments, all commissioners and all other officers not elected by the people, except as otherwise provided by law.

b. The mayor, whenever in his judgement the public interest shall so require, may remove from office any public officer holding office by appointment from a mayor of the city, except officers for whose removal other provision is made by law... '

(New York 2004: article 6).

The Emergency Management Department commissioner was a person appointed by the mayor, not the council (New York 2004: article 495). Thus, in any emergency the formal role of the mayor is unequivocal: he or she would be responsible for every aspect of the city's response to the crisis. As well as clarifying the leadership role in times of crisis, the city charter also addresses the management of the incident as it allows for the circumvention of routine procurement and probity procedures to facilitate a prompt response. For example, it provides for the suspension of the normal closed tender bidding process (New York 2004:article 312, section 2). There was even an explicit article defining the conditions in which the emergency

procurement procedures are to be implemented, namely: '*...in the case of an unforeseen danger to life, safety, property or a necessary service*' (New York 2004:article 315). Against this, it must be remembered that New York city is a vast metropolis and the financial centre for the US, as such, none of the English local authorities considered in this thesis are directly comparable with it. Even the three London boroughs with executive mayors have significantly fewer formal powers than New York's mayor. Only the Mayor of London and the Greater London Authority have a span of responsibilities and a budget that might begin to match New York. New York may also be atypical of US local authorities and Frederickson *et al* (2004:160-165) argue that "strong mayor" municipalities may be in decline. Nevertheless, the institutional framework is significant since it illustrates how the key roles of mayor as leader and manager could be combined.

The second case was New Orleans and how Mayor Nagin was perceived to have handled the impact of Hurricane Katrina. The city was classified as a mayor-council form of local government with a Chief Administrative Officer answerable to the mayor (New Orleans 1996: Section 1-102). There was no equivalent to the clause in New York's charter that identified the mayor as the chief executive, instead he or she was identified only as the head of the Office of Mayor, which, along with the Chief Administrative Office and the other department heads formed the executive board in which all executive powers were vested (New Orleans 1996: Sections 4-101, 4-102). The power to declare an emergency was assigned to the council and only if it held a proper vote could the procedures to pass ordinances be suspended (New Orleans 1996: Sections 3-112). If adhered to rigidly the city could be vulnerable in the event of a sudden crisis since this could prohibit the holding of a quorate meeting to authorise the use of emergency powers. Any actions of the mayor or the council might be subject to legal challenge after the event and the fear of such court cases might inhibit the authority's freedom of action. Having set out the formal constitutional

differences, how these rules operated, or failed to operate in exceptionally trying circumstances will be explored.

In studying these crises, American mayors' actions as reported in the press were reviewed, and how this has helped shape perceptions of their qualities as leaders was noted. Prior to the 11 September 2001 terrorist attacks on New York, Mayor Giuliani was coming to the end of his second and final term as mayor with the city being a few days away from the primary election for the political parties to choose their rivals for the post. Such was the virulence of the condemnations of some Democrat contenders that the *New York Times* paid special attention to the one candidate who did not join in these criticisms (Sengupta 2001). Although Giuliani had been recognised for his success in lowering crime, the prevailing attitude was summed up as being one where potential successors wanted to emulate his data methods, not his enforcement ones (Flynn 2001). Following the attacks, Giuliani's media image changed significantly. Through his visible leadership immediately after the assault, as well as his determination to ensure the restoration of normality, Giuliani generated a wave of public support for himself. The *New York Times* (01-09-2007) published an editorial with the opening line: *'Whatever he has been before or will be in the future, Mayor Rudolph Giuliani became the leader New York City needed in its worst moment.'* The same article noted that former mayor Ed Koch, who had written a highly critical book about Giuliani describing him as a "Nasty Man", had also praised him (*New York Times, op. cit.*). A positive media image was repeated internationally with BBC News stating:

'...In those first few hours of bewilderment, and the following days of grief and horror, New York's Mayor Rudy Giuliani has been at the centre of events, ensuring practical help, identifying with the suffering of the city's people, offering hope and reassurance for the future.' (BBC News 2001, website)

Mayor Giuliani's pro-active behaviour during the crisis was credited with helping to

secure a “yes” vote in several English mayoral referendums (Game 2002c:10), however, this has not been corroborated⁷⁴. Nevertheless, half the successful mayoral referendums in England were held in the two months after the events in New York⁷⁵. Against this background, the example of the mayor as chief executive, New Orleans offered an interesting contrast of how a mayor lacking unequivocal authority can find his or her leadership impeded at a moment of crisis.

If the media coverage of Mayor Giuliani had focused on his decisiveness, the reporting of Mayor Nagin's response to the approach of Hurricane Katrina stressed his indecision in ordering an evacuation and so putting lives in danger. *BBC News* suggested that Nagin spent too long trying to determine if he had the legal power to order an evacuation (BBC News 2005a). Such a failure implied, to use Stoker's terminology, that Nagin did not appreciate his “power to” role and was concerned only with his “power over” functions (Stoker *et al* 2002:8, Copus 2004a:577). Yet, Burns and Thomas (2006:518) suggest that Nagin also failed to develop a “regime”, an informal network linking business and civil leaders, so that he did not have these external levers to call upon at a time of crisis. An alternative explanation could be that Nagin's hesitancy was influenced by the quality of legal advice he received about his powers and there may be a concern that officials could use the ambiguity of an emergency situation to restrict the political sphere of action and place responsibility more in the context of managerial responsibilities. In such a case, there is a concern that seeking to follow formal rules and processes may hinder the executive mayor, and the council, in what might be expected would be their first priority of saving lives.

One other key difference between New York and New Orleans is how the two mayors

74 Even the pattern of mayoral referendums after this incident are not conclusive. In the two votes held up to one month after this attack (12th September - 12th October 2001), one voted yes, the other no. Of the referendums held in the two months after the attack (12th September - 12th November) six voted yes and five no.

75 <http://www.nlgn.org.uk/public/elected-mayors/mayoral-elections-referenda-results/>

coped with the overlapping responsibilities of city, state and federal government. In the latter case it appears as though tensions between the state governor and the mayor were allowed to influence the emergency response, something that was not the case in New York (Burns and Thomas 2006:521). It has also been alleged that the state governor's staff were more concerned about maintaining the governor's public relations image rather than responding to the crisis itself (BBC 2005b). The relationship between different parts and levels of government may be significant in the UK since most police and fire services cover more than one local authority area and any crisis may require an English executive mayor to call upon other government tiers for resources. The two US cases selected here illustrate significant variations in how executive mayors could respond to a crisis. Against this background, how English executive mayors might react in a crisis situation will be examined.

English Mayoral Councils Responses to Crises: leadership or management

In evaluating how executive mayoral authorities may respond to an emergency, two particular sources will be reviewed: the council's emergency or major incident plans as well as the executive mayoral authorities' own constitutions. Emergency or major incident plans were obtained covering eight of the eleven authorities either from the council itself or from the local emergency planning authority and an initial overview identified a number of features. First, the plans indicated that handling a crisis was a matter of management and not of leadership or policy, since in all but one instance, the Chief Executive Officer or equivalent was designated as the lead decision-maker for the council - the gold commander - with control over expenditure decisions. For example, in Hackney there was an explicit duty for the Chief Executive to be notified of a major incident within half an hour but there was no similar, formal requirement to inform the executive mayor that there is an emergency (Hackney 2004b:45).

Moreover, when considering the “cascade” systems adopted – the paths by which information about the emergency flows through the council with members of staff having designated subordinates whom it is their duty to inform – these documents generally omit any reference either to executive mayors and councillors or, where they are included, reduces contact to part of the public relations dimension of the crisis. For example, Newham's plan states:

'Consideration should always be given to informing the Mayor, the Leader of the Council and the Elected Member(s) of the area concerned (usually via the Press Officer). This requirement is especially necessary if the causation is likely to give rise to public disquiet, media attention or be of a protracted nature.' (Newham 2005b: para 3.11)

The above text raises a concern about the role of elected members as a sub-element of public relations, a group merely to be informed and not engaged, which means that crises are about management and not about political leadership. Second, the wording of the emergency plan does not appear to have been updated since 2002 as there is still a reference to the leader of the council but not to the executive mayor. There was a different approach in North Tyneside, whose executive mayor was identified in having a key role as the public face of the council during an emergency. In addition to this, there were references in other council documents to the office holder having received appropriate media training (North Tyneside 2007b:3). Nevertheless, while the plans do not mean that the politicians would be overlooked in real life, it is a matter of concern that they could be excluded since the executive mayor, cabinet members and the councillors may have to cope with the budgetary and other policy implications of the emergency. Torbay's plan was exceptional in stating explicitly that although the Chief Executive was the lead person in an emergency, the Mayor was to be kept informed and he or she would also become part of the Emergency Management Team (Torbay 2006:para 3.2). The plan was also distinctive in specifying roles and responsibilities for the cabinet members and the non-executive councillors as part of the authority's response.

Analysing the emergency plans revealed that when a major incident occurred the constitution appeared to cease to be relevant without any intervention by politicians or a warning to residents that this might happen. One method of coping with an emergency situation could be to employ a formal procedural device to suspend the constitution as by doing so, the executive would no longer be restrained by its provisions and thus may be able to respond to the crisis more speedily and effectively. Yet, executive mayoral authorities' constitutions all contain similar clauses regarding the process of suspending part of the constitution. First, a motion to suspend must be approved by a Full Council meeting at which at least half the members are in attendance; being dependent on the council was similar to the position of New Orleans. Second, only the procedural rules that accompany the constitution can be suspended, not the main articles of the core constitution (Bedford 2005a:46, Doncaster 2005:39, Hackney 2006:54, Hartlepool 2006:53, Lewisham 2007:74, Mansfield 2007a:39, Middlesbrough 2006:40, Newham 2005a:67, North Tyneside 2007a:29, Torbay 2005:article 15, Watford 2005:20). There was a particular significance here for Bedford where the constitution specifies that the executive mayor was not the council's principal spokesman (Bedford 2005a:Article 2.5), and, since this is contained in the core articles, there could be grounds for saying the mayor could not adopt this role in an emergency. Therefore, in the event of a crisis while the role of the Chief Executive may have been defined, there might be no political, accountable person from the representative side to whom citizens might turn in Bedford. The problem with promoting a senior officer is that it diminishes the significance of politics and politicians in local government and also has an adverse impact on democracy by obfuscating the lines of accountability. Who, after the crisis, is accountable if the elected executive mayor was not the in a leading role?

The inability to suspend the constitution's main articles does tend to support the

concept that it is a *lex superior* and may mark a different attitude than was applied to the previous system of standing orders. Yet, the implication in England is that the formal rules, the constitution, is meant to be a solid, albeit not inflexible foundation for good governance. The dependence on a document also marks a departure from historical English constitutional practise, where legal principles were derived from the application of law in the courts rather than the interpretation of text (Dicey 1959[1908]:195). Therefore, the omission of more detailed rules handling emergencies is a serious one and its absence reduces the ability of executive mayors to exercise leadership or to be accountable after the crisis.

The parts of the constitution that cannot be amended are significant since they cover matters of procurement and how decisions are recorded. Furthermore, in comparing English council constitutions with New York's city charter (New York 2004), the key difference appeared to be that New York's rules made provision for emergencies, whereas the English constitutions did not. A second possibility was that the constitution could make clear that executive power was being delegated to officers for the duration of a major incident. While this would appear to violate normative theory that sought to separate political and bureaucratic responsibilities (Wilson 1887:210), stating this role in the constitution is consistent with the conceptualisation of that document as the *lex superior* as well as the prime source for the citizen about how the council is run. Therefore, the constitution's main articles could be reviewed to determine how, if at all, the role of the chief executive or managing director as is specified.

Executive mayors' lack of a formal role in a crisis stands in contrast to central government ministers and senior councils officers who are expected to take on more of a leadership role raises a number of organisational and constitutional issues. While the emergency plans were explicit in conferring significant powers on the Chief

Executive during the period of the emergency, it is worth noting the absence of references to emergency powers in the council constitutions. Yet, the government emphasised that the constitution should be the citizen's prime point of reference to understand how their council would operate (DETR 2001:6). In practice, however, this does not appear to be the case.

The modular constitution developed to assist councils in developing their own constitutions provides a model illustrating functions and areas of responsibilities for officers. Yet, the guidance omits a reference to emergency functions and in most cases, the mayoral authorities' constitutions do not make explicit reference to the delegation of emergency powers. There were a few exceptions of which Hackney's is the most explicit in informing the reader about the role the Chief Executive will play:

"Functions of the Head of Paid Service ... (c) To act in cases of emergency or urgency to discharge all the functions delegated to other Chief Officers in consultation with the Mayor;" (Hackney 2006:46)

As was noted above, the emergency plan itself tended to specify only the Chief Executive Officer as the lead person in a major incident with no explicit mention of the executive mayor as a consultee (Hackney 2004b:45). Therefore, in the event of an emergency it would be significant to observe which document was given prominence: the Emergency Plan or the Constitution? Indeed, failing to accord primacy to the constitution damages its status as a *lex superior* and consigns it to a lower hierarchical position equivalent perhaps to the Council Standing Orders it replaced. A second example was found in Newham's constitution, which emphasised that the Chief Executive had the major role in the event of an emergency by defining his or her role as: *"Borough Controller in the event of major emergencies"* (Newham 2006:47), which still requires the citizen to have an appreciation of what that role of "Borough Controller" is.

Differences were observed regarding how mayoral constitutions authorise expenditure in an emergency and in particular, how the requirements relating to a key decision and access to information were altered. A key decision is defined as a significant one, of which one month's notice should be given by the cabinet (para 8, SI 2000/3272). Middlesbrough's constitution, whilst not declaring the Chief Executive's leading role in an emergency, confirmed the legal authority for officers to incur expenditure (Middlesbrough 2006:77). Newham's approach was different in that its constitution and rules, perhaps counter-intuitively, state that any emergency expenditure is not to be considered as a key decision (Newham 2006:239, 240). These examples appeared to be the exceptions. For most of the constitutions studied the only references that might apply in an emergency were those relating to business that was deemed urgent and the pattern observed followed the modular constitution in that the cabinet member could be authorised to act alone provided that he or she had obtained the prior consent of the relevant overview and scrutiny chair, or chair of the council, that the business was indeed urgent (DETR 2001:83). As such, an English executive mayor could face the same dilemma as Mayor Nagin in that the formal, "power over" tools on which they might wish to rely are not readily available. Equally, this might provide an illustration of Sunstein's (2001:9) *'incompletely theorised arguments'* or of traditional pragmatism in that formal text is given a less significant role in order for a practicable approach to work.

Conclusion

The chapter has sought evidence of political change from the introduction of executive mayors by examining two contrasting areas in which they might exercise leadership: routine service delivery as measured by the Comprehensive Performance and how the mayors responded to crises. How well this was achieved was tested through two hypotheses.

H4 Executive mayors with the two or more of the three powers (solo decision making, choosing cabinet members and allocating portfolios) will be shown by the Comprehensive Performance Assessment to be “improving well”.

H4_{null} Executive mayors with only one power will not be shown by the Comprehensive Performance Assessment as “improving well.”

H5 Executive mayors will have the lead role in leading the council's response to an emergency.

H5_{null} The leadership of the council during an emergency will be carried out by council officers, not an elected politician

The first hypothesis, H4, was tested using Qualitative Comparative Analysis and the findings indicate a relationship between the executive mayor lacking a veto power over changes that affect their own office and the council not having a good CPA “direction of progress” rating. In addition to this, possession of two or more freedoms was positively associated with a better CPA score, which echoes the ELGNCE findings (Stoker *et al* 2007:54), hence hypothesis H4 was supported. Nevertheless, ELGNCE's analyses are based on an assumption that the three powers were interchangeable, i.e. that an executive mayor being able to appoint cabinet members and assign portfolios was as important as that person being able to appoint cabinet members and make decisions alone. Within the review of the executive mayoral constitutions the most significant findings came from Doncaster where the document was being used by both the Full Council and the executive mayor to assert themselves, as revealed in the former claiming the right to pass votes of no confidence while the latter asserted that such votes were of no consequence (Doncaster 2005:12,22).

The second hypothesis, H5, concerned the operation of executive mayors in a time of crisis revealed a less encouraging pattern in England. The evidence from the emergency plans supported the H5 null hypothesis since once a crisis occurs, the executive mayor in England would be relegated to a role subordinate to the unelected chief executive. Only in Torbay was this different because the executive mayor would at least be part of the senior management team for the crisis. As such, no English executive mayor appeared to enjoy the unqualified position of leader and commander as provided to the mayor of New York in that city's charter. Whether any English executive mayor would want this responsibility is a valid question. Yet, from the perspective of both leadership and representation, it is a concern that the locally elected and accountable politicians could, very easily, be sidelined from decision making at the very moment residents might be seeking a visible leader. Equally, English executive mayors do appear to be as vulnerable as the US mayor with a council manager charter model, such as New Orleans, where the mayor would be one of many decision-makers in a crisis, and not necessarily a key one.

While the chapter has discussed formal and informal rules, the attributes of executive mayors as individuals, particularly if they have charismatic attributes or experience in command from their pre-mayoral roles such as Mayor Mallon who was a senior police officer, can have an impact. Copus (2006:122) described a case study concerning the Mayor of Hartlepool and his lack of formal rules or authority to insist that a dock in his borough was not used for the dismantling of possibly contaminated ships. Yet, Mayor Mallon has warned about over-reliance on formal rules saying: *'People get hung up on legislative power.'* (interview data). The chapter has not been able to consider how an executive mayor with a sound grasp of the media, or with a strong personality, would react in a crisis moment. Of course, there is the caveat that the mayor needs to be in the same country when disaster occurs. The former Mayor of

London, Ken Livingstone, was initially denied a role in responding to the 7 July 2005 terrorist attacks in London because he was in Singapore for the announcement that London had won the right to host the Olympic games⁷⁶. Here, for all the legitimacy executive mayors derive from their election, for all the desire of central government to overcome leadership and accountability deficits by having a visible decision-maker in the form of executive mayors, central government has not been willing to delegate powers and responsibilities.

The analysis provides two additional findings. Firstly, it serves to undermine the emphasis placed on leadership in the government's white papers and in other studies of executive mayors. Selznick (1957:17) has stressed that leadership matters most when goals are least well defined, of which a crisis would appear to be a good example. Yet, this is exactly the situation where, in England, executive mayors could have the least role to play because of those rules. Secondly, the constitutions are not acting as a *lex superior* as national constitutional theories might desire, since it is possible for the reality of decision-making, if not decision-taking, to deviate from the written constitution. Nevertheless, that the constitution is used as a vehicle for councillors to challenge and even circumscribe the formal power of the executive mayor (Bedford, Doncaster, Torbay) does indicate that the document has acquired a useful status in the eyes of politicians. While the constitution is making a political difference in executive mayoral authorities, it is not acting as an empowering tool for elected mayors. Furthermore, the evidence from the emergency powers and responses to crises shows that the scope for political difference has been further circumscribed by the government's unwillingness to allocate sufficient formal powers to mayors. The finding is counter-intuitive even if one does not accept the Giuliani media portrayal as the ideal type for an executive mayor in any country. The 1998 White Paper stressed the need for leadership and decision-making:

⁷⁶ http://www.bbc.co.uk/london/london_bombings/ accessed 25 October 2008

'Among all our public institutions councils have a special status and authority as local, directly-elected bodies. They are uniquely placed to provide vision and leadership to their local communities. They are able to make things happen on the ground - where it really matters.' (DETR 1998g: 2)

At a time of crisis, however, when electors might most expect to see their elected, accountable local political leader at the forefront (he or she has no more formal role in all cases except Torbay) than a normal citizen. For all the government's concern at local government's lack of leadership, the failure to allocate executive mayors a more prominent role indicates a lack of trust by Ministers and a reluctance to allow for truly empowered local government. Having considered two elements of the constitutional impact on how executive mayors may deliver their goals, and so achieve a change, the next chapter will investigate in detail the routine decision-making at cabinet meetings.

CHAPTER SEVEN: CABINET MEETINGS AND DECISION-MAKING

Introduction

In the previous chapter the operations of executive mayoral constitutions were reviewed both in an over-arching capacity through their relation to the routine everyday requirements of CPA and in the context of individual crisis incidents. Yet, the majority of the executive mayor's public decision-making occurs in regular formal cabinet meetings. Analysing the routine decision-making may provide evidence of the changes executive mayors have made in several respects. First, are executive mayors acting as the sole decision-makers, with very limited delegations to cabinet members? If this is the case, it would justify the fears of councillors that the new system is resulting in an over-concentration of power in one person's hands (Clarke *et al* 1991:71, Rao 2003:9). Second, if executive mayors are not acting as the sole decision-maker in what way is the new system different from the previous committee system?

The changes in local council decision-making were part of the Labour Government's programme of reforms since 1997. Given that one senior minister was responsible for local government for all but 18 months between 1997 and 2006, it can be surmised that the improvements in local government that would occur once an executive mayoral system was adopted would be to reduce the three "deficits" set out in the various White Papers, namely:

- a lack of clear leadership – as evidenced by the low visibility of council

leaders,

- reduced legitimacy – as evidenced by low turnout in elections, and
- a lack of accountability – as evidenced by the opaque nature of its decision making processes (Blair 1998,11-12, DETR 1998g:9-11).

In particular, the present government has stressed the need for councils to be more open, transparent and efficient in their decision making processes saying:

'Such councils - modern councils fit for the 21st century - are built on a culture of openness and ready accountability. They have clear and effective political leadership, to catch and retain local people's interest and ensure local accountability.' (DETR 1998:1.2)

Concerns were also introduced about the operation of the committee system as the local decision-making forum.

'At the heart of council decision taking and leadership is the committee structure. It is an inefficient and opaque structure for this purpose. It results in councillors spending too many hours on often fruitless meetings...' (DETR 1998g:1.15)

The possible solution offered to this was the creation of new political structures, particularly directly elected mayors, with the aim of providing residents a clear idea about where decisions were being taken. The government had already made it clear through the 1998 White Paper that decision-makers should be visible and identifiable (DETR 1998g:3.2). Since executive mayors were introduced to address these perceived shortcomings the following hypothesis can be offered for consideration here.

H6: Mayoral cabinets will deliver accountable local government with clearly identifiable individuals making decisions.

H6_{null}: Mayoral cabinets will not deliver accountable local government and will not have clearly identifiable individuals making decisions.

There was an ambiguity in the 1998 White Paper, which stressed individual decision-making, which also allowed for collective policy making (DETR 1998g:3.19 and 3.42). Nevertheless, as well as central government the Local Government Association, which acts as the local authorities' representative body to ministers, has stressed the importance of the decision-maker being held responsible by the citizen (Local Government Association 2005:5; Orr 2004:339). The legislation itself provided five different options of how executive functions may be handled:

- the mayor can take all the decisions himself,
- he or she can delegate decision making to the entire cabinet,
- an individual executive member can be delegated that power,
- a committee of executive members can be the decision-makers collectively,
- or even an officer of the authority may be the delegated decision-maker.

(s.14 LGA 2000).⁷⁷

Evidence that might confirm the hypothesis was sought from formal documents namely the constitution in the sections dealing with the operation of the cabinet and the decision-making process and each Council's scheme of delegation as adopted at the Annual Meeting along with observations of some cabinet meetings and through interview questions. Individual authorities therefore have some scope in how they interpret the new systems and, as was noted above, tend to be vague in specifying which model is actually being employed for decision making. Since it offered a good possibility of observing differences between the various mayors and authorities, the government's intention that there should be a single, identifiable decision-maker has been selected as the normative model to be sought in the data. Hence the following hypothesis was employed to probe the degree of political change this aspect of executive mayors may have introduced.

⁷⁷ From April 2009 it was possible to delegate decision-making within a ward to a single councillor from that ward (s236 LGPIH 2007)

H7: The conduct of the mayoral cabinet will be different from pre-Local Government Act 2000 committee meetings, with lead members taking a prominent role in speaking to reports and issues being decided in a more open fashion.

H7_{null}: Mayoral cabinets will not have members presenting reports or deciding issues more openly.

One element of this hypothesis is derived from Gyford *et al* (1989:140), who found that council officers tended to draft and present reports to committees. As part of enhanced accountability and openness, the presentation of recommendations should be the responsibility of elected members rather than the appointed officers. The hypothesis was tested by observing who spoke to reports or recommendations at the cabinet meetings. What could not be determined was how the officer and cabinet member may have interacted in preparing the recommendation (Stoker *et al* 2007:31-32, Fenwick *et al*(2004:31).

For the second element of the second hypothesis, evidence of deliberation at the cabinet meeting was sought. The following questions were used to investigate the data and provide evidence.

- Was the cabinet the prime decision making forum, or was it being used to ratify a decision made elsewhere, and if so, where?
- Was there a debate between cabinet members, which should consist of more than one or two questions being asked of the lead member?

The extent of debate could be measured by the length of time spent on each item since the greater the amount of time spent on an item could indicate that several members of cabinet were participating or that there was a point of dispute between at least two members. Furthermore, this approach has already been employed to assess the conduct of council meetings in the previous committee system (Hecl

1969:187, Green 1981:57,). Elcock (2001:98) argued that such debates are important to prevent “*groupthink*” – the adoption of “*bad*” policy because no critical voice is heard. A problem for testing this was that the intense debate may have taken place in a private forum such as a pre-cabinet briefing or a political party group meeting even though that is not a formal decision making arena. If this was the case, then openness and transparency of the process could be seriously called into question. A further problem is that there may be a long debate but the executive mayors still overrules cabinet members or, as occurred in Bedford's observed cabinet meeting, the chief executive intervenes with an offer to resolve the contentious matter outside the meeting in a private meeting.

Firstly, in identifying whether the cabinet meeting was the decision-making locus, the limitation of observation is that the cabinet may not be the place in which the real decision is being made (Copus 2004b:15). Saunders (1979:218) located the origin of policies with a small group of senior officers while Gyford *et al* (1989:166) and Copus (2004b:92-96) have noted the key role of the party group meeting. Evidence was found of informal meetings of the cabinet at most authorities. Kath Nicholson, Lewisham's senior lawyer, was well aware of this possibility that these forums would usurp the constitutional decision-making process and said: *'I won't let things go to mayor's briefing if they look anything like decision-making. I just say no, we're not having it.'*

Secondly, were amendments accepted for debate? The possibility of cabinet members offering changes at the mayoral cabinet meeting might be an indication that real deliberation was occurring and that differences of opinion had not been “ironed out” in a private forum before the meeting. Thirdly, does the report contain real alternatives? If it does not do so then it may be an indication that no real attention is being paid to the constitution which, under the government model, requires reports to

contain alternative paths of action. Fourthly, how is the item resolved? Is it by a vote? If so, are the recommendations taken as one item or is each voted on a paragraph at a time? Or is the vote carried without any member voicing dissent?⁷⁸

To discuss the above questions, section one of the chapter will commence with the construction of an analytical framework to measure the operation of mayoral executives. The second section will review cabinet meetings to determine if any patterns could be observed⁷⁹. From this, the third section will develop both a typological framework and present a series of flowcharts to assess the decision making process. Although observation was carried out by sitting in the public seating or public gallery, there were still a number of unintended effects, largely due to the low level of public attendance at cabinet meetings. Doncaster's Mayor Winter was interviewed the day after the cabinet meeting and, in his welcoming remarks, mentioned that he and cabinet colleagues had spent some time debating after the meeting as to who the "stranger" in the public seats was. The consensus had been that the researcher was a lobbyist or a lawyer. In Watford the researcher was the only person in the "public" seats and Mayor Thornhill, recognising that there was a face with which she was not familiar, came over to introduce herself before the meeting. She was the only executive mayor in the meetings observed, who made such an overt attempt to interact with members of the public. The first step in this analysis is the construction of a framework to assess executive mayoral cabinets.

Executive Mayoral Cabinet Meetings: A Framework for analysis

⁷⁸This vote may be recorded as "nem con" (no-one contradicting) by the minutes or the chairman.

⁷⁹ Observation involved attending the cabinet meetings and noting as many aspects as possible from the physical layout of the meeting room to the nature of how business was conducted. A core check list was used to ensure consistency of observation between meetings. Sessions were also timed. (May1993, Miles and Huberman 1994:ch5, Burnham *et al* 2004:16, Bryam 2004:164)

Before testing hypotheses H6 and H7, it is worth considering the concept of the “cabinet meeting” and parsing it to distinguish the causal combinations or independent variables that may be present. The relevant legislation, LGA 1972, 1985, 2000, the guidance for officers Taylor and Upton (2005) and the studies of how political party groups behave for example. Jones (1969), Green (1988), Goss (1988) and Copus (2004b), suggest that the behaviour of cabinets could be explained by the interaction of the following variables:

$$E=f(L*W*P*M*C)+\varepsilon$$

Where:

E= how cabinet meetings operate

L = legislative framework

W= rational-bureaucratic norms

M= Mayor

P – Party political context

C = Chief Executive

ε = possible exogenous, non-systemic variance

The above model is offered as a framework to assist in the analysis of executive mayoral cabinet meetings. The first two variables, “L” and “W”, reflect the strong interaction of formal legal elements and the rational-bureaucratic norms and values that underpin the conduct of officers, mayors and councillors. Whilst any change in these variables could be extremely significant, it will be assumed, for now, that such changes were rare, or occurred over a longer period of time, hence the values for “L” and “W” within any single council are likely to remain stable. The choice of “W” relates both to the work of Weber (1967:333-334) from whom the concept of the rational-bureaucratic organisation is taken and also to the 1948 Wednesbury case in English administrative law, which established the precedent that government decisions had to be justified on the grounds of “Wednesbury” reasonableness

(Loughlin 1996a:249). "P" signifies the political context, which has been held to be significant in leadership studies (Leach and Wilson 2000:77, Leach *et al* 2005:3). The final variables "M" and "C" relate to the two individuals who, it might be expected, would have the greatest influence over the conduct of the meeting. "M" signifies the executive mayor while "C" is the Chief Executive. The interaction of these two individuals in official and local government settings has been considered elsewhere (Self 1977:150-151, Svava 1990:20, Norton 1991:18-19, Mouritzen and Svava 2002:23-46) with the key finding that the official plays a substantial role as the principal assistant to the executive mayor. While the analysis has identified some observable, measurable variables, in politics there is also the possibility of unknown, exogenous factors forcing change, the variable ε was employed to account for this eventuality (Braumoeller and Goertz 2000:849). The above model will be employed to assist in the subsequent investigations of mayoral cabinets' operations.

As well as stressing the need to create efficient local government, the role of backbench councillors in scrutinising the decision-makers was also emphasised by the government as part of its goal of ensuring that executive mayors were held to account (DETR 1998g:26). The mechanism adopted in the legislation was to empower backbench councillors with a delaying mechanism whereby they could ask for a decision by the executive mayor, or the cabinet, to be reviewed, a process named "call-in". If an item was called-in, the decision-makers would have to review the decision. Having done this, however, the executive mayor could determine that the policy was correct and backbenchers would not be able to delay implementation again. The council constitutions will be reviewed to determine the constraints, if any, around the operation of call-in and what reaction there was from the executive mayors themselves. By reviewing the operation of call-in, evidence will be obtained about the balance of power within the local authority, in particular, whether it has led to the strengthening of the decision-makers, especially the executive mayor, or

whether it has resulted in a more collaborative policy making process. The chapter will commence with an investigation of the conduct of the cabinet meetings themselves.

Mayoral Cabinet Meetings: Open and Accessible?

The section will describe and draw lessons from the cabinet meetings observed. A number of common elements were recorded to enable a comparative analysis. Care was taken when observing meetings to be as unobtrusive as possible in order that the executive mayor and cabinet members did not alter their behaviour and so introduce bias into the findings (Robson 1993:191). Sometimes the layout of the room, or the lack of other observers or members of the public, rendered unobtrusive observation impossible. Use was also made of any published papers such as agendas or reports.

1) Where are Cabinets Meetings Held?

For each mayoral authority the physical context of the meeting was noted, the time of day the meeting was held, the room, the layout and how accessible it was? Stewart (2000:17) argued that these physical factors can serve as explanatory variables. In the case of a mayoral cabinet meeting, differences might be whether the meeting was held during the day time or at night, in a committee room or in the council chamber. These simple differences also had an impact on how easy it was for the researcher, or a member of the public, to identify the decision-maker.

2) How was the meeting run?

While all notices of meetings must be published in advance in accordance with Access to Information regulations, gaining admittance to the meeting was not always straightforward. In Bedford, the cabinet meeting was held in the Old Town Hall's council chamber and not in the Civic Centre itself. The researcher had, quite literally, to ring the doorbell and wait to be let into a building that did not immediately appear to be open. The table was an open square with the mayor and deputy at one end but with no place names to assist in identifying who was speaking though the faces of the cabinet members were visible.

Since Doncaster's cabinet met in the historic Mansion House, meetings were held in a visually attractive environment. As the meeting started at 10am, however, its accessibility for members of the public was restricted and the cabinet observed had two "members of the public" present – a journalist and myself. An open square table was used with the mayor and a few senior officers on one side, the cabinet members opposite and other officers on the third side although without place names it was difficult to identify who was speaking and in what capacity.

For Hackney access to the meeting was quite straightforward as it was held in the evening in the main council offices in the largest committee room. The elongated u-shaped table meant that the cabinet members could be seen but on one evening the microphone system was not working well and the mayor and his deputy were not always audible. Apart from a report by the external auditors, all the items were dealt with rapidly, though this in part may have been due to the absence of the chair and vice chair of overview and scrutiny – these two non-voting members of cabinet were also members of opposition political parties.

Lewisham's cabinet meeting was held in a committee room in the evening and it was relatively easy to attend for someone who might have been working. Most of the cabinet members and officers sat with their backs to the public seats making the identification of the person speaking quite difficult, especially when it was not the lead member.

To reach the visitor's gallery in Newham's Edwardian Town Hall building, the researcher was escorted by a porter through an alley to a locked staircase and then had to ascend to the top of the building. Along with the late afternoon meeting time, this difficulty of reaching the public gallery may have helped explain why there were no members of the public observing the meeting. Since most of the cabinet members, the mayoral advisers and the officers faced away from the gallery, only the mayor and chief executive were easy to identify. Throughout the meeting Mayor Wales exhorted members repeatedly to identify themselves for the benefit of the two observers representing the Audit Commission; pleas that were not heeded. Using the council chamber emphasised that the executive mayor was the visible focus of attention. The large number of people present at the meeting could be confusing to a member of the public because it was not clear who they were or what post they held. Since the chamber was laid out in a semi-circular pattern with the executive mayor sitting at the front with the chief executive officer and a committee clerk beside him facing the public gallery, most of the other participants had their backs to the researcher.

The mayoral cabinet in North Tyneside, as in Newham, met in the council chamber of an Edwardian Town Hall, which was complete with stained glass windows. At the start of the meeting two presentations were made by children, one relating to a visit to Eritrea, the other dealing with a consultation. Unlike some of the other meetings, there were signs in front of each person – cabinet member or officer – to help identify

who was speaking. At Torbay's meeting, a table at one end of the room had been set aside for non-executive councillors but it tended to be used by the "Shadow" cabinet formed from the Liberal Democrat councillors.

Decision-Making: Faster or Better ?

In all the cabinet meetings, copies of the papers to be considered were available on the internet and in print on the night of the meeting. Apart from Doncaster these agenda packs ran to several hundred pages and there could be some difficulty for a member of the public in downloading, printing and reading them in advance. Such a reliance on the internet may be helpful to councils in reducing printing costs, but this also imposed a digital divide with those with least access to the internet being denied the information necessary to understand and participate in the decision-making process. The conduct of the meetings themselves, with participants addressing each other by their first names and using technical language or jargon, had attributes of being introverted and insular, the very characteristics that the Government had sought to change (DETR 1998g: section 3). Part of the problem was that cabinets consist of a small group of people using similar language. In some cases this familiarity was increased if all the members belonged to the same political party and could have spent more hours together in private meetings than in public ones (Stoker *et al* 2007:30). Only when members of the public were present, such as for the development related items with planning implications in Bedford and Torbay, or the reports by young people in North Tyneside, did the cabinet members make an attempt to change their style to be more accommodating.

Cabinet agendas for the above meetings varied considerably in the number of items on the agenda and the length of time spent on each one, the details of which are summarised in Table 16 (p240). Leach *et al* (2000:25) suggest that the duration of

items may be an indicator of whether the issue was really determined first in a private pre-meeting or whether the cabinet meeting was the real decision-making forum. Yet, the government has stated that one object of the reforms would be to reduce meeting times by up to 40% (DETR 1998g:3.10), which implies that local government decision-making must struggle between two contradictory central government goals: to be fast or to be deliberative. To provide some additional similarity to aid comparison, the meetings in Hackney, Lewisham and Newham were those that set the Council Tax for 2006/2007, although it is necessary to note that the tax setting meetings may be different from the other cabinet meetings during the year due to the inclusion of a very specific financial item. Calculating such averages, however, does obscure how considerable time was spent on one or two items whilst others were taken without comment.

As well as the duration of each item, evidence was also sought of prioritising strategic items or of heresthetics - the manipulation of the agenda to achieve a desired result - as suggested by Riker (1986:ix-xi). Only in Bedford was evidence of the latter behaviour observed as the executive mayor's used his power as chair to determine whether recommendations were voted on a paragraph at a time or *en bloc*, or whether questions from non-cabinet members and members of the public were permitted. It was in Bedford's meeting that the finance lead member's report warning of the need to make cuts over the next two years to meet the Council Tax target was dismissed in two minutes as it had been placed towards the bottom of the agenda and was not reached until almost two and half hours into the meeting. That it received so little attention indicates a weakness of the cabinet system, that it still retains core features of a committee and is thus restricted by its formal agenda. Moreover, it suggests that the cabinet meeting is a decision taking forum and not a decision-making one and begs the question: in what forum are the real decisions being taken? If it is really the private, informal cabinet meetings, this has defeated

the government's goal of increasing accountability as well as undermining the political difference executive mayors make as leaders. Table 16 (p240) summarises some of the key characteristics noted in each cabinet meeting.

	Number of items on the agenda	Average length of each item (rounded off)	Items prioritised on the day/night
Bedford	21	7 minutes	none
LB Hackney	27	2 minutes	none
LB Lewisham	12	3 minutes	none
LB Newham	11 (2 added)	11 minutes	none
North Tyneside BC	11 (2 added)	7 minutes	none
Doncaster	4	6 minutes	none
Torbay	26	Observations incomplete	none

Table 16.: Duration of items at mayoral cabinet meetings

Source: Researcher's observations

The average length of time spent on each item in each mayoral cabinet varied from 2 to 11 minutes, indicating that executive mayoral cabinets might have been acting as deliberative bodies. Green (1981:128) analysed three committee meetings on Newcastle City Council and found that agendas contained between 149 and 262 items with an average of only 2 minutes being spent per item. An earlier study by Heclo (1969:187) found in five observed committee meetings that councillors were having to vote on average every 25 seconds to approve minutes or recommendations. On the basis of this evidence, executive mayoral cabinets were spending more time debating fewer items than had historically been the case in the committee-based local government. What is also significant is that the mayoral cabinet that spent least time per item, Hackney, was also the one cabinet where decision-making process was closest to a committee as it had explicitly adopted a collective decision-taking process with the executive mayor acting as a chair or

primus inter pares rather than the key decision-maker. As well as noting the duration of each item, the process of decision making was also observed and that will be considered next.

How Decisions Were Made: Individual Versus Collective

One of the government's objectives in reforming local authorities was to create visible, identifiable decision-makers in local councils (DETR 1998g:para 3.2). A year later, one of the goals of the proposed reforms was defined as:*transparency, where it is clear to people who is responsible for decisions;...*' (DETR 1999:para 1.21), even though there were fears of the over-concentration of decision-making in a single person (Stoker and Wolman 1991:12; Rao and Young 1999: 60; Wilson and Game 2002:196). Nevertheless, the 1999 White Paper declared:

'All the possible new forms for which the legislation is to provide are to have:
• *a clearly identified and separate executive to give leadership and clarity to decision taking;'* (DETR 1999:para 3.4).

The legislation itself was not specific about having individual decision-makers and offered a range of possibilities.

'14.—(1)... any functions which, under executive arrangements, are the responsibility of a mayor and cabinet executive are to be discharged in accordance with this section.

(2) The elected mayor—

(a) may discharge any of those functions, or

(b) may arrange for the discharge of any of those functions—

(i) by the executive,

(ii) by another member of the executive,

(iii) by a committee of the executive, or

(iv) by an officer of the authority.' (s14 LGA 2000)

The constitutions were most precise only for category (iv), tending to have detailed descriptions of the scope of authority delegated to each officer. Hackney was the most explicit in allocating decision-making to the whole executive (Cabinet) under

section (I) (Crowe 2002:145). The purpose of observing cabinet meetings as well as studying the constitutions was to evaluate to what extent the goal of leadership had been achieved by having individual decision-makers.

To improve understanding of the process, a flowchart was constructed inductively based on the data (Figures 13 and 14 p245, Error: Reference source not found), which show the similarities and differences in the way each mayoral council handled items on the agenda. For the first part, the process was similar in all meetings although a variation occurred in both Bedford and Torbay. In the former, considerable questioning occurred from cabinet members, with senior officers and members of the public also being allowed by the executive mayor to participate. An explanation for this was the presence of a significant development issue on the agenda relating to the redevelopment of the town centre. A further explanatory factor was the fact that Bedford has no political party with a majority and the executive mayor had assembled a multi-party cabinet, including a representative of his own Better Bedford Independents Party. In Torbay, which also had a controversial issue, members of the public were permitted time to contribute during the meeting. Here the executive mayor was using his capacity as the meeting's chair to allow non councillors time to participate.

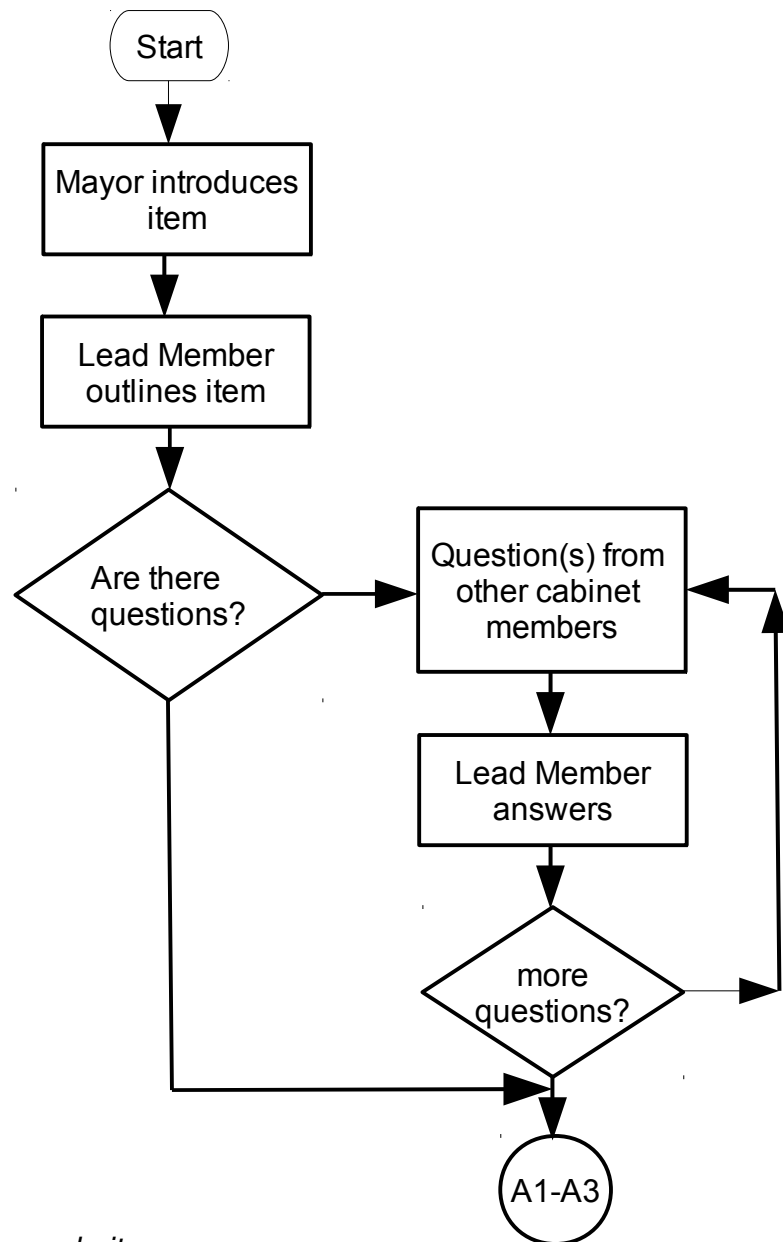
In all cases the cabinet meeting was chaired by the executive mayor although in Middlesbrough Councillor Brady, the then deputy mayor, stated that he chaired the informal weekly meetings of cabinet members. By chairing the cabinet meetings, executive mayors were demonstrating their importance in agenda control and task accomplishment (Leach and Wilson 2000:87, 2002:667) and of acting as the vehicle of government (Elcock 2001:106). The second aspect noted was the way in which cabinet members had taken ownership of their portfolios and both introduced reports and answered all but technical questions. Under the previous committee system

officers tended to speak to most reports. Heclo (1969:188) argued that possession of knowledge allowed officers to take the lead in proposing policy in the committee-run council model leaving councillors to argue about implementation. Green (1981:99), using his role as a participant, also noted the tendency of officers to control the content of reports as well as delivering them to the meeting. In this respect, the executive mayoral system has brought about a change within each of the councils.

The common pattern observed in all meetings, as well as the data obtained from interviews with Mayor Drummond (Hartlepool) and Jan Richmond (CEO, Middlesbrough) indicated that the initial part of the process involved the executive mayor acting as chair with cabinet members presenting reports to the cabinet meeting and officers primarily providing answers to technical questions only. Bedford, which was the most politically divided cabinet, diverged the most with officers acting more as neutral *rapporteurs* allowing cabinet members to debate the issue between themselves more fully. For Newham there was an extra dimension in that for every cabinet member, a backbench councillor acted as a policy adviser and it was usually this person's role to lead the questioning of the report being proposed. Such a shadowing role for a non-cabinet member was not identified in any other authority although these backbenchers were recruited solely from the majority Labour Party group. The observations indicate that there was less debate and discussion where the cabinet was comprised of a single political party, especially if the councillors who were serving on the cabinet belonged to the same party as the mayor.

To assist with understanding the different paths decision-making could follow at cabinet meetings, the process has been represented in the flow charts in Figures 13 and 14 (pp 245, 246). The diagrams illustrate the similarity observed in the initial part of the meeting and then describe three distinct approaches to the second part, the

decision-taking. By being able to compare the different methods of decision-taking in the mayoral authorities, it is possible to make inferences about how decision-making is occurring and so assist in determining the difference being made by the executive mayoral system. Figure 13 (p245) was developed from the researcher's own notes in order to provide an analytical framework and is based on observations of cabinet meetings.



*Figure 13: How agenda items were debated at cabinet meetings.
Source: Researcher's observations*

The closing part of the decision taking process demonstrated the greatest range of differences and these variations could be suggesting different interpretations of the concept of decision making. Three types of conclusion to the decision-taking were observed:

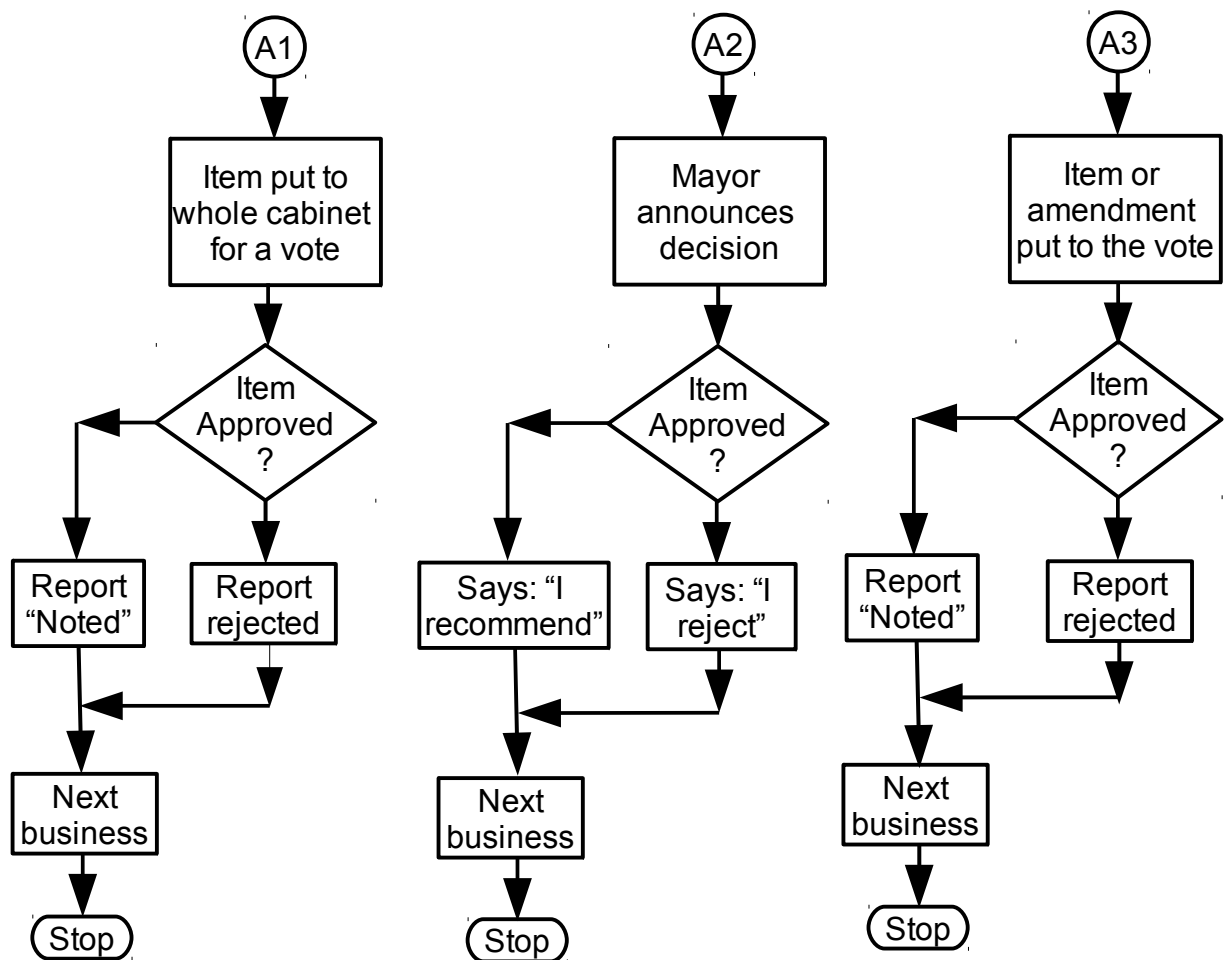


Figure 14: How agenda items were concluded at cabinet meetings

Source: Researcher's observations

- a1 – there was a collective decision by the cabinet and the report is noted,
- a2 – the executive mayor alone was the sole decision maker, accepting or rejecting reports,
- a3 – there was collective decision making by the cabinet with report accepted or rejected.

The three different paths of concluding an item illustrate variations in underlying principles within each mayoral authority. If decision-making is collective rather than by individual cabinet members or the mayor him or herself, that indicates a dilution of the strong leader model envisaged by central government and a lack of clarity where the locus of power, and hence accountability, lies. Such a mode of operation bears little difference to the previous committee system. The second dimension to be

considered is the clarity of the decision-taking process as any obfuscation again serves to diminish the impact of the mayoral system and render the practical operation of executive mayoral councils less distinctive than they might have been.

The significance between types a1 and a3 hinges on whether a report is “noted” (a1) or “accepted” (a3) (Figure 14, p246). Far from being a semantic point, the wording itself indicates whether there has been a deeper change in the underlying norms of local government as would be expected within the various subsets of new institutionalist theory (March and Olsen 1989:23, Peters 2005:157). The term “noted” implies that the item is there for information whereas accepting a report indicates that a course of actions, the actions contained in that report's recommendations, will be undertaken. Furthermore, the wording “report noted” would indicate the enduring power of the norms attached to the previous committee system approach in local government where such a term might have been common. Changing the wording to “recommendation accepted”, is an indicator that the cabinet has altered its understanding of its own role and was embracing the notion of being an executive rather than just a deliberative body. Similarly, if it was the executive mayor who was acting as the sole decision taker, this too would be indicative of a change in the operation of decision making in the authority since the introduction of directly elected executive mayors.

What was entirely absent from the process, as observed, was the executive mayor and cabinet taking control of the process and developing their own recommendations based on the debate. Instead, as with the previous committee system, the debate was shaped by the wording of the reports, which are written primarily by officers. Hence, the scope for political difference is restricted since the elected mayors are still dependent on the way the officers prepare the recommendations.

There was only one case, Hackney, where the cabinet voted on each item and, when passed, the mayor concluded by saying “report noted” (Path a1, Figure 14, p246).

Mayor Pipe explained his comments:

'...there are often some that reports that we do have for noting...like the monthly Overall Financial Position report... it's not for decision so we just note it...so it was probably just a slip of the tongue if there was a decision making item “noted” because I would normally say “agreed”.' (interview data)

In the cabinet meeting observed, which included receiving the proposed council tax recommendation, the term “agreed” was not used, contrary to Mayor Pipe's statement. The findings from the observations beg a further question: why is a scarce resource - cabinet meeting time - being used just to note reports and not for executive decision making? The need to bring reports to cabinet for noting is a phenomenon common to leader-cabinet councils⁸⁰ as well as executive mayoral ones, which indicates a more systemic problem with local government decision-making that still needs to be addressed. In “noting” reports rather than approving recommendations for action, this is the least transparent way of concluding business and does not indicate conformity with the government's goal of providing identifiable decision-makers since it is not immediately obvious from this wording that a decision has been made. There was a similar pattern in North Tyneside and Doncaster where the item was put to a vote but the mayor used the term “recommendation approved”, which was more conclusive (Path a3, Figure 14, p246). Mayor Winter described the process as follows:

'...we've tried all sorts of models in terms of I'm elected to make the decisions ..I started off very much devolving that decision-making to cabinet individually...we've actually come back to a model now where there is very, very little that I make the decisions on, that we make them collectively rather than as cabinet members. So we don't have silo cabinet responsibilities, we have the cabinet collectively.' (interview data)

⁸⁰ Since late 2007 the researcher has been employed in the cabinet office of a borough council operating the leader-cabinet model

There was a lack of clarity in Newham where, at the end of each item, the mayor put the matter to the vote, although no dissenting vote was observed. Such a process did not reflect the constitution which asserts the role of the mayor as the sole decision maker: *'I have a Cabinet of 9 Members... I have not delegated any powers to cabinet members.'* (Newham 2005:1). an interpretation confirmed by the Borough's Head of Legal Services, Helen Sidwell. Yet, Sidwell added that the sole decision-making process had been intended to promote transparency: *'I think it was very much developed...as a result of the fact that there was going to be no delegation of decision making, he was going to do it all himself...'* The situation in Bedford was more complicated in that three of the five parties on the council had representatives in the cabinet in 2006 and the executive mayor could not assume the support of at least one third of all councillors to adopt his budget or major policies. Alone in Bedford were amendments taken on individual items. What was significant was that the mayor did not intervene to try and direct the cabinet; he acted as a chairman. Lewisham and Torbay were distinctive since they provided examples of individual decision-making with the mayor concluding each item by saying *'I accept the recommendation'* (Path A1, Figure 14, p246). There could be little doubt about who was responsible in this format, which was also completely in accordance with the constitution (Lewisham 2005:301).

Mayor Drummond described the decision-making process as:

'In the past what would happen, usually the officers would present the report and then cabinet members would question it... Maybe it's the library plan, for example, the library officer would be in there and says, right, this that and the other. They put it together with the help of the portfolio holder, and then cabinet is open to ask questions and add anything they want to do... are we happy with the report, do we agree it? Yes, then that goes through. That was OK, but I changed it in May and now it is the portfolio holders present their own reports. I think it gives a lot more ownership to it. ...There's usually a list of recommendations and the portfolio holder will ask the cabinet to agree the recommendations and I'll say can we agree the recommendations? Yes, yes,

yes. Do we want to amend them? No'

In Middlesbrough there was a slight variation with Mayor Mallon employing a more unifying, consensual decision-taking method.

'Well, actually, interesting point about voting as well, it is very very rare for there to be a vote of the executive. Usually the whole point about it really is it is consensus decision-making.' (Richmond, CEO, interview data)

Considering the second part of the second hypothesis, that the conduct of the mayoral cabinet will be different to pre-Local Government Act 2000 committee meetings with lead members taking a prominent role in speaking to reports and issues being decided in a more open fashion, a matrix was constructed to analyse the openness of the meetings (Table 17 p253). Most of the meetings displayed a lack of debate, a lack of alternatives, and a lack of split voting. Bedford, a “hung” council, demonstrated the most characteristics of openness but this may be more a consequence of the lack of single party control than of the mayoral system. Doncaster's Mayor Winter illustrated the problem of making discussions more public saying:

'I actually do preach debate and disagreement but we tend to have the debate privately rather than in public, but there's still opportunities for them to raise queries in cabinet'. (interview data)

What was less clear from his comments was whether this alternative private forum was the Labour Party group meeting or a closed, non decision-making meeting of cabinet members. Torbay's Cabinet also included a non-Conservative cabinet member but her presence did not provoke more intense debate at the meeting observed.

The concept of decision-making has been operationalised by adopting the following dichotomous variables that could be measured.

1. Was there a debate between cabinet members, including the mayor?

The presence of debate would support a conclusion that the mayoral cabinet meeting was acting as a genuine, deliberative body and not merely ratifying decisions made elsewhere, for example either in political party group meetings or at informal meetings of the cabinet, or simply accepting the officers' recommendations. The ultimate test of deliberation would be that changes are made – recommendations or even entire reports dropped. Nevertheless, testing the arguments for a report that is then accepted is also a part of deliberation, as the Victorian theorist and politician J S Mill commented:

'...even if the received be not only true, but the whole truth; unless it is suffered to be, and actually is, vigorously and earnestly contested, it will, by most of those who receive it, be held in the manner of a prejudice...' (Mill 1991:59)

Noting this behaviour was important since one of the government's allegations about the previous committee system was that it rendered decision making opaque and unclear (DETR 1998g:11, DETR 1999:4, 5). Evidence from the meetings was corroborated by interviews, for example Mayor Arkley (North Tyneside) described her approach as:

'They had individual decision making but they acted collectively...The lead member would present, but, take it from me, there were some heated discussions, let's leave it at that.'

2. Were amendments accepted?

The presence of amendments could, again, support the conclusion that cabinet members, including the executive mayor, were using the cabinet meeting as the decision-making forum and not just the decision-taking or ratifying one. It might also assure the public that everything had not been pre-arranged in private meetings. Against this, it is possible cabinets could stage manage such interventions to create the appearance of debate when, in fact, the decision had been made in a private forum. None of the interview respondents confirmed that such things had occurred, therefore this possibility remains unproven.

3. Did the report contain alternatives?

In most of the council constitutions there was a requirement that the executive mayor and cabinet consider alternatives. The presence of different courses of action in the report could indicate that the constitution was guiding the conduct of the council in a legal-positive manner whereas its absence would suggest that the constitution was being interpreted as a set of guiding norms, not a *lex superior*.

4. Was the report adopted by unanimous vote?

Studies of the previous committee system have noted how councillors obediently voted as determined in their party group meetings. As was noted in Newcastle: during the committee system era.

'Often a meeting would speed through a string of agenda items in the time it took the chairman to read out successively the heading of each report, put the ceremonial request, "Agree the report?" and for the backbenchers to chant back "Agreed".' (Green 1981:114)

Copus (2006: 164-189) suggested that the introduction of directly elected mayors, could have provided an opportunity for new methods of decision making, while the wider changes in the LGA 2000 provided opportunities for political party group behaviour to develop (Copus 2004b:211-235). Therefore, the ability of members of the same political party group to vote different ways on the same agenda item might be an indicator of both the loosening of the rigid discipline present in the previous committee system as well as the functioning of the meeting as a decision making forum. Two outcome variables were then examined, which were derived from the White Paper and the government's emphasis on individual decision making (DETR 1998g:3.19, 3.42).

5. Was the item decided by the lead member alone? and

6. Was the item decided by the mayor alone?

Although the 1998 and 1999 White Papers did allow for the retention of collective decision-making, the Labour government retained its desire to make one person the sole decision maker, either the lead member or the executive mayor. Therefore, the government goals would be realised most effectively if solo decision taking was occurring. The observations are reported as a matrix in Table 17 below (p253).

	Party Political Mayor with majority	Party Political Mayor without a majority, but block minority	Party Political Mayor without a blocking minority	Independent Mayor with one political party in a majority	Independent Mayor with no political party in a majority on the council
Cabinet ratifies only	Hackney	Doncaster North Tyneside			
Cabinet ratifies and decides	Newham		Bedford		
Cabinet deliberates and mayor or lead member decides					Middlesbrough
Cabinet deliberates and mayor decides	Lewisham ⁸¹		Torbay		

Table 17: Observed Cabinet Behaviour

Source: Researcher's notes

The evidence in Table 17 (p253) supports other findings about the importance of local political context (Leach and Wilson 2000:77, Leach *et al* 2005:3). Hackney's Labour group regained an overall majority on the council in 2002 having endured over five years of a "hung" council following major crises – a political one within the Labour group and a financial one within the Council – while integrity and cohesion were still strong driving forces in this borough's cabinet. The more collegiate approach in Bedford was a legacy of many years' experience of operating in a "hung" council in

⁸¹ Meeting observed before the Labour Party lost its overall majority on LB Lewisham on 4 May 2006.

which the two largest parties – Conservative and Labour – had developed a means of operating that was tailored to local needs. Mark Minion, the Labour Group's political researcher in Bedford described what this meant for the executive mayor who had to divert significant resources to internal political management issues:

'So there isn't one party driving the agenda forwards, you've got to negotiate, you have to negotiate even handing out executive powers, he's got to get his budget through, which is the key document.' (interview data)

Cllr Attenborough (Bedford, Conservative) pointed out how the Chief Executive played a pivotal role in resolving difficulties between cabinet members, saying: *'If I have a real problem with the mayor, I go and see the Chief Executive and the Chief Executive raises one hand says: "leave it to me, Nicky, I'll sort it".'* More evidence of this was observed at the cabinet meeting where Cllr Attenborough was facing an amendment to a report she was proposing and the Chief Executive made a comment implying that he would resolve it with her after the meeting. A more positive interpretation of the Chief Executive's role here is that of supporting the executive mayor in managing the meeting's business and preventing the agenda from becoming bogged down on a single item.

Torbay's cabinet meeting illustrated the impact of the local political context as an explanatory factor. At the time of the meeting, the mayor faced a council dominated by a rival political party. The local political context was further complicated by the fact that the Conservative group had fractured into three parts with at least five of the mayoral candidates in October 2005 having been serving, or recently defeated, Conservative councillors, which may have left the executive mayor vulnerable as he did not have the automatic support of one third of the council to get his budget passed without amendments at that time⁸². Subsequently after the May 2007 local elections the executive mayor was supported by a Conservative majority. In neither

⁸² The meeting in Torbay was observed in 2006, before the Conservative Party won an overall majority of council seats in May 2007 (Rallings and Thrasher 2007)

North Tyneside nor Doncaster did the Labour group enjoy a majority on the council at the time of the interviews and observations and, given the close election results, cohesion and policy delivery could become key priorities to provide a solid base for future elections. In Hartlepool the mayor had to work with a fragmented, loose coalition of supporters at the full council meeting. Mayor Drummond acquired considerable legitimacy from his re-election victory in 2005, but this did not necessarily enhance his political power. Given that this is how the executive mayor was operating, consideration should also be given to how the non-executive councillors were able to act as a constitutional brake on that decision-making. As the White Paper said:

'...councillors would also continue to have other important responsibilities vital to the effective functioning of their councils. These would include: reviewing and questioning decisions taken by the executive.' (DETR 1998g:26)

As was stated in chapter one, a key deficit the government intended executive mayors to rectify was an accountability deficit. While part of this accountability is derived from the elections, in the intervening period the government envisaged that non-cabinet member councillors would exercise some restraint over the executive mayor. Since call-in is one mechanism of how that review and questioning was operationalised in the legislation evidence of its use by backbench councillors will now be investigated.

The Call-in Process and Executive Mayors

One of the key features of the LGA 2000 was the adaptation of the power of call-in to allow backbench councillors a means to challenge and scrutinise any decision made by the executive mayor or cabinet prior to its implementation. The ELGNCE team found across all councils, of which executive mayors formed only a small percentage, that: *'The number of call-ins of executive decisions is generally very low, with a third*

of councils experiencing no call-ins at all.' (Stoker *et al* 2007:14) The same report concluded: *'The checks and balances introduced by the Act are working...'* (Stoker *et al* 2007:16). Earlier findings by John and Gains (2005:20) had reached a similar conclusion.

If call-in had been intended to incorporate non-executive councillors as integral elements to the local authority's decision making process, the evidence from both officers and councillors portrays the opposite. Non-executive councillors were described as feeling *'alienated'* according to Brown, Hartlepool's senior lawyer or as Cllr Headley, a Liberal Democrat councillor in Bedford, stated:

'I think my main concern is ... the disengagement of ordinary councillors. ...they're elected to represent their constituents, they've got experience in all sorts of different areas. And they're basically disengaged from the process of, the decision making process. And I think that local government and the local population is the loser in that because they've lost that expertise, they've lost that local input into decisions that may have a local flavour.' (interview data)

Cllr Headley also noted that the *Modern Local Government* White Paper's (1998:11) concern of councillors spending a lot of time in the town hall had not been redressed:

'I think definitely...there are still extensive council-based work loads...but to less effect. So before you felt that workload let you actually achieve things for your residents now you don't feel you necessarily do things for your local people you represent.' (interview data)

In Hackney the then Conservative Group Leader Cllr Ollerenshaw said: *'...only one call-in has been agreed...Two other attempts at call-in, one on the major town hall redevelopment scheme, £64m, was rejected by the Labour majority on scrutiny.'* Cllr Huntbach, the former Liberal Democrat opposition group leader in Lewisham was sceptical about the whole scrutiny process, though dominated by officers and not the executive mayor adding:

'...I find it's been very officer-led. The officers have actually used the overview and scrutiny committees and working parties to do what they want. And there

hasn't really been much in the way of real investigation. And as the opposition we found it's almost impossible to get what we want tabled on these committees.' (interview data)

In Doncaster the independent Cllr Mick Maye was sceptical of the whole executive mayoral system:

'I know a lot of nice Labour councillors, I know some of the Conservative councillors, I think people are there because they want to make a difference and under this system we don't make a difference.' (interview data)

Even a cabinet member in Bedford, Cllr Attenborough (Conservative), concurred stating: *'..backbenchers at the moment feel they are quite frankly an irrelevant sideline.'*

Therefore, a dissonance has been identified between the opinions of non-executive councillors in one group and executive mayors and cabinet members in another. To investigate this further, a textual analysis of the constitutions was used to determine if there were variations in the call-in process between the different councils that might explain whether some councillors were more advantaged, or disadvantaged, than others. In particular, given the role of political parties in local government (Copus 2004b:14), the wording of call in procedures will be analysed in the context of each council's party political context. For example, are there procedural hurdles in the call-in mechanism that serve to exclude or include opposition political parties from the process? If this were the case, then the constitution is serving as a protection for the executive mayor, and this would be evidence of a political change that had resulted from the introduction of the new system. As well as providing evidence of how the mayoral councils were operating in practice, the different phrases used in each council is also a positive indicator that each local authority had taken ownership of its own constitution and was not dependent solely on government guidance or templates. Therefore, in order to develop a better understanding of the constitutional context in which call-in is operating, and to allow a better comparison between the

executive mayoral authorities, the different formal rules are quoted in Table 18 (p261).

Mayoral Authority	Details of the call-in process for cabinet decisions	Political context (how many opposition parties must co-operate to call-in an item)
Bedford	<i>'All decisions made by the Executive, an individual Member of the Executive, a Committee of the Executive and key decisions made by Officers under delegated authority shall...be subject to the call in provisions set out in paragraphs 13.3 to 13.11 below.'</i> (Pt 7, p13)	<i>'Within the call in period any four or more Members of the Council may call in a decision for scrutiny by the Scrutiny Committee by giving notice in writing to that effect to the Chief Executive.'</i> (pt7, p14)
Doncaster	<i>'Call-in is an exceptional step to be taken only when Members with the power to call in decisions consider it to be a proportionate step which will be of benefit to the delivery of services under the Budget and Policy Framework or will improve the decision making process.'</i> (Pt 4, p64) <i>'The call-in group will consist of:- (i) The Chair and Vice-Chair of Overview and Scrutiny Management Committee; The Chairs of standing Scrutiny Panels'</i> (Pt 4, p64)	<i>'At any time during the call-in period any 3 Members of the call-in group may call in an Executive decision by signing a notice in a form approved by the Council for this purpose and delivered to the Proper Officer. Electronic signatures will be acceptable for this purpose. Alternatively any 5 Members of the Council may trigger call-in provided that not all the Members are from the same Political Group.'</i> (pt4, p65)
Hackney	<i>'Call-in should only be used in exceptional circumstances. These are where 5 members of the Council have evidence which suggests that the Cabinet did not take the decision in accordance with the principles set out in Article 14.02 (Decision Making), or contrary to the policy framework or not wholly in accordance with the Council's budget.'</i> (p143)	
Hartlepool	<i>'Call-in should only be used in exceptional circumstances. These are where Members of the Co-ordinating Committee have evidence which suggests that a key decision or an executive decision taken by Members was not in accordance with the principles set out in Article 13</i>	<i>'The Scrutiny Co-ordinating Committee has the power under section 21 of the Local Government Act to call-in decisions made by the executive but not yet implemented. It is only permitted to call-in 12 decisions/proposed decisions per municipal year. (Pt 4, p 135)</i>

Mayoral Authority	Details of the call-in process for cabinet decisions	Political context (how many opposition parties must co-operate to call-in an item)
	<i>(Decision making) or that the decision or proposed decision falls outside the budget and policy framework.'</i> (pt 4, p 135)	<i>(i) Each of the forum chairs, provided that they have the support of at least two Members of the Scrutiny Co-ordinating Committee, and (ii) Five Members of the Council (excluding Members of the Executive) and provided that the Members exercising the call-in represent at least two political groups.'</i>
Lewisham	<i>'Where the relevant Business Panel is of the view that an executive decision is, or would if made be, contrary to the policy framework or contrary to or not wholly consistent with the budget, then it shall seek advice from the Monitoring Officer and/or the Chief Finance Officer.'</i> Part F p135	[no power for back-benchers outside the Business Panel to call-in a decision]
Mansfield	<i>'Where a Select Commission is of the opinion that an executive decision is, or if made would be, contrary to the policy framework, or contrary to or not wholly in accordance with the Council's budget, then it shall seek advice from the Monitoring Officer, Chief Financial Officer and/or Head of Paid Service.'</i> <i>'If the decision has yet to be made, or has been made but not yet implemented, and the advice from the Statutory Officers is that the decision is or would be contrary to the policy framework or contrary to or not wholly in accordance with the budget, the Select Commission may refer the matter to Council.'</i> (p74) <i>'Call-in should only be used in exceptional circumstances.'</i> (p85)	<i>'During that period, the Head of Paid Service shall call-in a decision for scrutiny by a Select Commission if so requested by any six Councillors and shall then notify the decision-taker of the call-in'. p86</i>
Middlesbrough	<i>Where the Overview and Scrutiny Board or a scrutiny panel is of the opinion that an executive decision is, or if made would be, contrary to the policy framework, or contrary to or not wholly in accordance with the Council's budget, then it shall seek advice from</i>	

Mayoral Authority	Details of the call-in process for cabinet decisions	Political context (how many opposition parties must co-operate to call-in an item)
	<i>the Monitoring Officer and/or Chief Financial Officer. (p128)</i>	
Newham	<p><i>'Where an overview and scrutiny committee is of the opinion that a Executive decision is, or if made would be, contrary to the policy framework, or contrary to or not wholly in accordance with the Council's budget, then it shall seek advice from the monitoring officer and/or chief financial officer.'</i> (p143)</p> <p><i>'7.3 If the decision has yet to be made, or has been made but not yet implemented, and the advice from the monitoring officer and/or the chief financial officer is that the decision is or would be contrary to the policy framework or contrary to or not wholly in accordance with the budget, the overview and scrutiny committee may refer the matter to Council.'</i> (p144)</p>	<p><i>'15.4.1 Any scrutiny chair plus any 5 scrutiny members (education co-optees may only put their name to call-in on education matters)</i></p> <p><i>15.4.2 three members of the Overview and Scrutiny Committee; or 20% of Councillors'</i> (pp157-158)</p> <p><i>(NB at no point since 2002 could the opposition councillors achieve this.)</i></p>
North Tyneside	<p><i>'The first major rule is that only the full Council can make final decisions on the content of the major plans and strategies that are included in the Budget and Policy Framework. Similarly, only the full Council can make decisions on changes to these plans and strategies except in circumstances where the Council has specifically given the power to make particular changes to, for example, the Mayor, the Cabinet or an Officer of the Council.</i></p> <p><i>The second major rule is that decisions of the Cabinet must follow the provisions of Article 13 of the Council's Constitution, which sets out the basic requirements of good decision-making. The "call in" process can only be used where it is felt that one, or both of these two major rules has not been followed.'</i> (p105)</p>	<i>'At least 3 non cabinet members must sign the appropriate request form..' p105</i>
Torbay	<i>'Subject to Standing Order D14 below, decisions taken by officers will only be</i>	<i>'Subject to Standing Order D13.6, Standing Order D14 and Standing</i>

Mayoral Authority	Details of the call-in process for cabinet decisions	Political context (how many opposition parties must co-operate to call-in an item)
	<i>subject to call-in if they are Key Decisions (as defined in Article 12)' (O&S SOs p12)</i>	<i>Order D15, any five members of the Council may request, in writing and within five clear working days of the publication of a decision made...' (O&S SOs p10)</i> [no apparent restriction on call in]
Watford	<i>'All decisions of the Mayor or Executive or Neighbourhood Forum or under joint arrangement or a key decision taken by an Officer, except those which have previously been the subject of call-in, which have been defined as urgent, or are under £10,000 of expenditure or saving, shall be able to be called-in.'</i> (Pt 4 p6) <i>'If the Call-in & Performance Scrutiny Committee are of the view that the decision of the Executive conflicts with either the approved policy of the Council or exceeds the budget set by the Council, they shall seek the advice of the Monitoring Officer and/or the Chief Financial Officer.'</i> (Pt 4, p 6)	<i>'The Council will establish one committee called the Call-in and Performance Scrutiny Committee which will comprise 9 members. This Committee will have the responsibility for co-ordination and action on all requests for the call-in of an Executive decision...'</i> (pt 4, p 1) [Membership would be pro executive given small opposition in 2008]

Table 18: Different Rules on call-in across mayoral authorities

Sources: Bedford (2005), Doncaster (2005), Hackney (2006), Hartlepool (2006), Lewisham (2007), Mansfield (2007), Middlesbrough (2006), Newham (2006), North Tyneside (2007), Torbay (2005), Watford (2005)

Table 18 (p261) illustrates variations between each authority on how easily non-executive councillors could delay an executive mayor's decision by using "call-in" with some severely prescribing the limits of call-in. In order to investigate these variations the Table 19 (p262) identifies those councils with similar formal rules.

Type	Mayoral Authority	Political Control of the Council
Any decision can be called in for any reason or it is outside the agreed policy and budget framework	Bedford Hackney Hartlepool Lewisham Mansfield Newham North Tyneside Torbay Watford	No overall control Labour No overall control/Labour Labour/No overall controlLabour Labour/Independents/Mansfield Independent Forum Labour Labour/No overall control/Conservative Liberal Democrat/Conservative Liberal Democrat
Decisions where the procedures were not correct can be called in	Doncaster Hackney Hartlepool North Tyneside	Labour/No overall control Labour No overall control Labour/No overall control/Conservative
Call-in to be used as an exceptional measure	Doncaster Hackney Hartlepool Middlesbrough	Labour/No overall control Labour No overall control Labour

Table 19: Summary of different call-in options

Sources: Council Constitutions (as per table 18 p261)

What is most significant in Table 19 is the restriction of the call-in power in four councils including one that still has considerable governance issues (Doncaster), two that were considered key parliamentary election targets by at least one political party (Hartlepool and North Tyneside) and one that had emerged from political instability (Hackney). Against this, it is worth noting that those councils with either a stable political party majority or a tradition of operating as a hung council adopted more generous call-in definitions.

From the data in Tables 18 and 19 (p261 and p262) it is possible to construct a typology that illustrates how the style of scrutiny as exercised by call-in facilitates executive mayors in making a political difference.

1 Restrictive

In these councils call-in is perceived as a threat to the executive mayor and the cabinet, hence the constitution severely limits backbench councillors' ability to call-in an item whether by having a high threshold or limiting the causes that can be cited. By reducing criticism, councils that adopt this are reducing the political change by failing to overcome the legitimacy and accountability deficits. Middlesbrough fits most clearly into this category, which might reflect the priorities of the Labour councillors who drafted the initial document rather than the goals of the present executive mayor.

2 Formal

For this category the main variation on a restrictive approach is that the terms for call-in require the executive mayor and cabinet to be scrupulous in adhering to the decision-making rules and processes. While this is a very traditional, constitutional approach, it does allow for call-in other than as an exception. Hackney, Hartlepool, Doncaster and North Tyneside would be described as formal, even if call-in has yet to be widely exercised.

3 Open

A transparent mayoral authority makes it relatively easy for items to be called-in. Whether or not councillors exercise this right is another matter. Nevertheless, by being so open a noticeable political difference is being made by the adoption of the mayoral idea as councillors are contributing towards reducing the legitimacy and accountability deficits. Bedford, Lewisham, Mansfield, Torbay and Watford would all be classified as open.

Since the constitutions were approved by councillors before the first executive mayors were elected, the call-in criteria give an indication of how those councillors perceived their relationship with the key decision-maker in the new system. If there is

insufficient ability for backbenchers to hold the executive mayor to account, in other words. call-in is too limited in its operation, there is concern that the government's objective of more transparent and accountable local government is being denied (DETR 1999:6). Equally, if the call-in rules allow too many executive decisions to be delayed, the government's objective of faster, efficient decision-making is also frustrated (DETR 1998g:19).

The details of the political balance on the council have been added since another possibility is that the constitution has been biased to support a mayor from one political party or to ensure that a single opposition political party either can, or cannot call-in a decision on their own. For example, Newham's constitution allows 20% of the councillors to sign a request to call in an item, although there is no explanation for this figure. While this may appear reasonable as a deterrent to the call-in process being abused, it must be pointed out that at no point since the initial elections in 1965 have there ever been 12 non-Labour councillors elected at any one time. A contrasting example comes from Bedford, where only three councillors need request a call-in, a number that in 2008 permits all the declared groups on that authority (Conservative, Labour, Liberal Democrat, and Better Bedford Independent Party) and the independents, the opportunity to use this procedure⁸³. It is useful to refer to the government's guidance, which said: ' *During that period, the proper officer shall call-in a decision for scrutiny by the committee if so requested by the chair or any [three] members of the committee,* ' (DETR 2001:111). Moreover, the same guidance does not restrict call-in either to being an exceptional activity nor only to errors in procedure.

From this evidence, the council constitution is clearly being perceived in mayoral authorities as a locally relevant document that is adjusted to the needs of each

⁸³ <http://www.bedford.gov.uk/Default.aspx/Web/CouncillorInformation>

council, rather than being a template imposed from outside. The rules regarding call-in support the relevance of context as asserted by Leach *et al* (2005:3) and, while not necessarily confirming that the constitution is a *lex superior*, these variations do imply that executive mayors have made a political difference in that they have provoked councillors to address the mechanisms of accountability. Call-in also represents a small amount of formal power, however much constrained, that is allocated to non-executive councillors as a check and balance on the executive mayor. What remains to be changed is the attitudes of the councillors themselves so that they develop the will to use it, as former Conservative Cllr Ollerenshaw noted:

'...there's a kind of inbuilt worry amongst Labour councillors that any kind of challenge will be seen as criticism, and will be damaging and we can't go back to the past, dare we, and therefore it may be that more than the mayoral system that is restricting challenge.' (interview data)

There were some interesting variations on the number of councillors who could call-in an item. Bedford's low figure of just three may be indicative of how an executive mayor cannot bring about change to a council with several decade's experience of operating without a majority political party. What may be present is a form of collusion, an unofficial alliance, in which the political parties on Bedford Council have functioned as a cartel (Mair 1997:94) in order to share out the resources, for example the access to call-in does not exclude any single political group.

Conclusion

The consideration of how executive mayors were exercising routine decision-making was conducted to assess whether the process had changed due to the introduction of the new political office and, if so, in what way had it been altered. To assist in this, two hypotheses were advanced:

H6: Mayoral cabinets will deliver accountable local government with clearly

identifiable individuals making decisions.

H6_{null}: Mayoral cabinets will not deliver clearly identifiable individuals making decisions and so not be accountable.

H7: The conduct of the mayoral cabinet will be different from pre-Local Government Act 2000 committee meetings, with lead members taking a prominent role in speaking to reports and issues being decided in a more open fashion.

H7_{null}: Mayoral cabinets will not have members presenting reports or deciding issues more openly.

Based on the observations of mayoral authorities, a formula summarising the interactions that shaped how these meetings operated was deduced, namely the interaction of the legislative framework (L) with the underlying rational-bureaucratic ethos (W) combined with the personal attitudes of the executive mayor (M) and the chief executive (C) and the prevailing political context (P). Allowance was also made for the possible intervention of unplanned exogenous factors. The formula was stated as : $E=f(L*W*P*M*C)+\varepsilon$. Given the stability of the core variables, it is possible to be reasonably confident that the conduct of these meetings was unlikely to change frequently. In only two of the observed council meetings was the decision taken solely by the mayor (Lewisham and Torbay). In a third, Newham, the mayor put items to the vote to secure the cabinet's consent even though the legal decision was his alone, thereby retaining the elements of collective decision-making. In the remaining four councils the decisions were collective.

In assessing hypothesis H6, the evidence indicated that the dominance of the local political culture was overwhelming. Voters still had to hold a collective entity to account and although a cabinet may be easier to identify than a full council or policy

and resources committee, there might be concerns that only one executive mayoral council allowed for obvious individual decision-making. Pratchett (2004:224) argued that it may not be clear whether mayoral councils have abandoned their introverted ways of working sufficiently to attract the interest of citizens. The use of terms such as “report noted” as occurred in Hackney support Pratchett's observation. Yet, three councils had, in one form or another, adopted individual decision-making and hence there is evidence supporting hypothesis 6 for more visible, accountable decision-making by executive mayoral cabinets or mayors.

Furthermore, those who have supported the introduction of directly elected executive mayors could take some encouragement from the fact that regardless of these internal realities, the electors were identifying the executive mayor as the decision-maker. Mayor Thornhill said, *'People have said to me, at least we know where we are throwing brickbats or bouquets, we know it's you.'* Mayor Winter made a similar comment adding, *'When I was the [indirectly elected] leader, we used to get 30 queries a day...now we can have over a hundred a day or more...'* In Bedford the late Mayor Branston remarked: *'...it's [the office of executive mayor] a public face to local politics.'* Lewisham's head of Community Governance, Kevin Sheehan, added,

'..the citizens have recognised the tangible figure and hold him or her to account for the services in the borough and more generally for the place... it's apparent to the citizen that here's someone who we can actually get rid of if he ain't doing a good job.' (interview data)

The second hypothesis sought evidence that lead members were living up to their name in presenting and talking to their reports, contrary to the committee system where committee chairmen would invite officers to speak. In all the cases observed apart from Bedford the lead members did indeed fulfil this role with officers primarily being used to provide technical information or clarification. The problems in Bedford illustrate the difficulties there due to the fractured nature of the cabinet and council

between the political parties.

Therefore, the evidence supported the first part of hypothesis H7 in that cabinet lead members were playing an active role in the public forum by presenting reports and answering questions about their portfolios. There was less evidence supporting the second part that the items are being determined in a more open fashion. The constraints of the political party group, its majority and in particular the political history of the authority seem to constrain open debate. Hackney was the most extreme example of such constraints with the average time spent on each part of the agenda being around 1.5 minutes, excluding the longest item. The divergence between how the council makes its decisions and how the public perceives it is operating may result in dissonance amongst both the electorate and the councillors and prevent the changes from becoming embedded, thereby reducing the political change made by executive mayors.

Nevertheless, the way meetings are conducted indicates that the prevailing committee culture in local government remains unchanged, even with the introduction of executive mayors. The rules-in-use observed at council meetings revealed that some of the same language – report noted – was still employed along with collective rather than individual decision-making. Indeed, that the cabinet was still being used to receive reports rather than to focus on key decisions or discussions of a strategic nature serves to obfuscate the role of the executive mayor. From the 1998 and 1999 White Papers and interview data, especially with Lewisham's senior law officer, Kath Nicholson, who was a member of a working party that helped draw up the regulations for the executive mayoral system, it is possible to infer a normative model of how central government envisaged decision-making. There was an expectation that many decisions would be made by the executive mayor or individual cabinet members. Nicholson stated how she had to argue that these decisions be accompanied at least

by a report and made in the presence of one officer to record the outcome rather than just entrust it to the individual alone, as might be the case with central government cabinet members. In Torbay (Mayor Bye) and Lewisham (Mayor Bullock) there were open displays of individual decision-making by executive mayors while Mayor Mallon (Middlesbrough) added:

'Well, I'm not an elected mayor by committee. I'm an elected mayor. So there are some things I do and don't consult anybody, cause I want my destiny in my hands. So some things I'll just do it and say we're going to do that, and if it goes wrong it's down to me.' (interview data)

The examples of individual decision-making remain atypical and, from an institutionalist perspective, the survival of collective responsibility illustrates the importance of participants doing what is appropriate rather than what formal rules may permit (March and Olson 1989:24, 1995:28,30, Peters 2005:30).

The above findings stress the role of the mayor *qua* leader rather than *qua* representative. As such, the theoretical frameworks developed by Leach and Wilson (2000:17) and Elcock (2000:24-25, 2001:105) with their emphasis on government, cohesion and programme achievement captured the reality of executive mayoral government. What was absent, apart from a few delegations concerned with particular issues, was any role in the cabinet for the people of the authority as whole. The analysis of the call-in provisions within the council constitutions revealed some variations between each council and also illustrated a willingness to depart from the modular constitution provided as the government's guidance (DETR 2001). That the mayoral authorities did this, confirms that the constitution itself is viewed by politicians as an important document in that care was taken to tailor the document to local circumstances, whether that was to protect the executive mayor by limiting the scope of call-in or to provide a more general means for backbenchers to hold the decision-makers to account.

A political difference made by the introduction of executive mayors, therefore, was a need for councillors to try and determine, before the first mayoral election, how they wished to empower backbench councillors to hold the new decision-makers to account. That councillors reached different interpretations illustrates one of the core strengths of local government: its ability to reach solutions that are relevant to the locality. While the evidence above illustrates that mayoral cabinets have, in most cases, changed their decision-making behaviour since the introduction of directly elected executive mayors, the councils will be investigated in greater detail through a series of case studies to determine the degree of political change that occurred.

CHAPTER EIGHT: MAYORAL GOVERNANCE IN HACKNEY AND MIDDLESBROUGH

Introduction

While chapters six and seven considered aspects of mayoral governance, addressing the core question of what political difference executive mayors have made also requires investigation of key participants' own opinions. Interviews were undertaken with almost all of ten incumbent and one former, now newly re-elected, mayors (only Mayor Wales' office in Newham failed to provide an appointment) to ascertain their contribution. Since the context in which mayors are operating is significant (Leach *et al* 2005:3), the data will be presented as a series of case studies in which the changes that executive mayors have produced within their own authorities will be examined in addition to any similarities or differences that they have produced as a whole.

Since executive mayors come from a variety of backgrounds, especially those who were not previously politicians (Elcock 2001:17), these will be investigated first. Table 20 (p272) compares the backgrounds of those individuals who have held office as executive mayor. The data reveal that four individuals had no prior experience as councillors, which indicates that a major political change has occurred as the system of directly elected mayors has allowed in fresh faces to the most senior post in the council. Even in a cabinet leader system it would require very exceptional circumstances, for example the rise of a new political party or independent group, for individuals with such little local government experience to become leaders of the

council. Nevertheless, the majority of executive mayors are drawn overwhelmingly from the ranks of elected members, eight were councillors and four were former leaders of the council or their political party group, including one former executive mayor.

Former experience	n	Mayor
Local councillor only	4	Arkley (North Tyneside), Bye (Torbay), Thornhill (Watford)
Former executive mayor	1	Arkley (North Tyneside)
Local council leader/council political party group leader	5	Bullock (Lewisham), Harrison (North Tyneside), Pipe (Hackney) Wales (Newham), Winter (Doncaster)
Former local government officer	1	Egginton (Mansfield)
No direct local government experience	4	Branston (Bedford – newspaper editor), Davies (Doncaster 2009+, teacher), Drummond (Hartlepool Mallon (Middlesbrough- senior police officer)

Table 20: Backgrounds of executive mayors

Source: researcher's interview notes

The case studies in this chapter and will capture the experience of executive mayors' roles as leaders and representatives in a political context. Section one sets out a brief overview of the London Borough of Hackney, including a reference to its turbulent political history in the years immediately preceding the adoption of an executive mayor. Having established the context, the experience of Mayor Pipe and the comments of the other interviewees is used to explore the impact executive mayoral government has made on reducing the leadership, legitimacy and accountability deficits identified by central government (DETR 1998g:8). As part of this analysis, the role of the executive mayor as a representative will also be investigated

The interviewees' attitudes towards the executive mayor's authority and influence are probed in an attempt to move beyond the formal-legalistic interpretations of the executive mayor and also to seek evidence of the mayors using "power to" rather than "power over" tools to achieve their ends (Stoker *et al* 2002, Copus 2004a:577). The examples investigated here will augment the previous models considered in the review of leadership theories in chapter three. The final part of section one considers the balance of power between the executive mayor, the officers and the other councillors and how this was perceived to have changed, or not, since the introduction of executive mayors.

Section two will repeat the same analytical framework for Middlesbrough. The objective is that by measuring the same aspects it will be possible to adopt a comparative approach that will allow political differences to be revealed. Indeed, the choice of the two councils for detailed comparison was determined by a most dissimilar criteria as will be shown in the CPA evidence and political history. Overall, the election of a party political mayor in Hackney contrasts interestingly with the victory of the independent candidate in Middlesbrough.

The third section offers some conclusions employing the two analytical frameworks outlined in chapters three and four. The first is the conceptualisation of the government space as a fixed unit shared between the executive mayor and the chief executive as developed by Svava (1990:20), which is shown as Figure 10 (p94). The second element is the triangular conceptualisation of the decision making space, the balance of power, between the executive mayor and their cabinet, the chief executive and the senior officer team, and the non-executive councillors (Figure 11, p95). By employing these representations the case studies will explore both longitudinal political differences within each authority as well as variations between them that have occurred as a consequence of introducing executive mayors. The case study

will commence with a brief overview of Hackney's political context.

Case One: Hackney

Three key respondents in Hackney agreed to participate, the most significant of whom was Mayor Jules Pipe, along with the then Councillor and Conservative group leader Eric Ollerenshaw⁸⁴. Only one officer was available for interview, Jay Kistasamy, the Assistant Director of Civic Services whose responsibility included electoral administration. He was also the official responsible for the conduct of the first mayoral election in 2002. Additional background evidence was obtained from exploring the 1992 General Election and 19 council by-elections between 1988 and 2005 in which the researcher was involved⁸⁵.

The London Borough of Hackney is an inner city local authority to the north east of the city of London that was created by the merger of three smaller councils: Stoke Newington, Hackney and Shoreditch by the London Government Act 1963 (Smallwood 1965:258). It was an area usually described as “the East End” (Audit Commission 2006d:11) and in 2004 the authority had been rated the fifth most deprived area out of 388 local councils using indices of multiple deprivation, with four out of ten children being raised in households that relied on benefits as their main source of income (Audit Commission 2004b:6). By 2007 conditions had deteriorated relative to other councils with the council slipping to fourth most deprived area⁸⁶. In 2006 every ward in the borough could be classified among the 10 per cent of most socially and economically deprived wards in the country (Audit Commission

⁸⁴ Eric Ollerenshaw resigned as a councillor in November 2007 upon being selected as a parliamentary candidate

⁸⁵ Being recognised as a political party activist caused a series of research interviews scheduled for 2005 to be cancelled at short notice. Fortunately, Mayor Pipe agreed to an interview at a second request after his re-election.

⁸⁶ (<http://www.communities.gov.uk/index.asp?id=1128642> accessed 05-06-2007)

2006d:11).

The borough was ethnically diverse, with over 56% of the population reporting that they belonged to ethnic minority communities. In terms of political campaigning as well as for how an executive mayor might communicate this presents a significant problem as reliance on English alone would be inadequate. Hackney also challenges conceptions of what it is to be an ethnic minority as individual groups are often clustered in very limited geographical areas, for example the ultra Orthodox Jewish community is most prevalent in three wards in the northern part of the Borough around Stamford Hill. Furthermore, parts of Hackney's population were highly transient with up to one in five residents moving in or out of the area every year (Audit Commission 2004b:6). Being physically close to the wealthy employees of the City of London had also led to the gentrification of some areas, especially Shoreditch and Hoxton in the southern end of the borough, and rising property prices that were making the lack of affordable housing for residents an issue (Audit Commission *op. cit.*). Two thirds of the social housing, which accommodates over half the population, was below the nationally determined standards for Decent Homes (Audit Commission 2006d:11). In terms of access to public transport, which could be related to access to jobs, Hackney was also unusual for a London borough north of the River Thames in having only two Underground stations and both of these - Old Street in the south west and Manor House in the west - were partially in neighbouring council areas, making the provision of additional Underground services still a long term goal. One of the most significant development opportunities for the area comes from the fact that 28% of the 2012 Olympic site lies within the borough boundaries (Audit Commission 2006d:11).

Although Hackney was selected because of its troubled history, one Labour councillor, Grimble, asserted that between 1986 and 1994 the council had made

improvements, a change that had been acknowledged by the Audit Commission (LGA 1999:11). These improvements were lost in a few years when the rival factions within Labour council group, proved too antagonistic and in 1996 approximately 16 members left to form the "Hackney New Labour" group or join the other political parties (Leach and Wilson 2000:128-129, Bunting 2002), as a result of which the Labour Party lost control of the authority (BBC News 2002 Hackney). The council elections in 1998 failed to resolve this and for the next three years there was an uneasy alliance between the Labour and Conservative groups. As an illustration of political instability, it was not uncommon for councillors to change parties a number of times, as was noted in the media:

'...the then chief executive, Tony Eliston, said he would install traffic lights in the council chamber to control floor-crossing by members. (One councillor, David Phillips, has sat as Labour, Hackney New Labour - nothing to do with the Blair-Mandelson version - Conservative, Independent, Liberal Democrat and now Green Party.)' (Rayner 2000)

As a consequence of this, Hackney experienced a number of difficulties in trying to discharge the council's normal business. Although committees become more important when the council is hung (Leach and Stewart 1992:21), the system was no longer able to function effectively since minutes confirmed by a committee could not longer be guaranteed confirmation by full council as the individuals who made the first decision were not necessarily members of the same political party group by the time the issue was presented for its final approval. Another illustration of political instability was the large number of council by-elections. Between 1994 and 2002 there were 16 by-elections, however, since the adoption of the executive mayoral system in 2002 there have been just seven⁸⁷ The impact of the political crisis impacted on the national Labour Party whose leader was a former Hackney resident and who had moved to the neighbouring borough of Islington.⁸⁸ It is suggested that

87 www.gwydir.demon.co.uk/byelections/ accessed 31-07-2009 and researcher's own notes as a campaigner for a political party

88 The Headquarters of the Greater London Labour Party was also located in Hackney at

the desire to rid the Labour Party of being tarnished by links to chaotic councils such as Hackney was a trigger that inspired Tony Blair to embrace directly elected mayors when presented with the option by Simon Jenkins and the Commission for Local Democracy.

Alongside this political crisis, the local authority was also noted for its failure to deliver public services. The council's education services were declared in 1997 by the government's inspectors, OFSTED, to have collapsed and in 1999 central government intervened to remove the council from its role as the local education authority⁸⁹. Cllr Grimble (Labour) wrote of the resulting state of affairs: *'Hackney's credibility is at an all-time low. Civic leadership is non-existent'* (LGA 1999:11). Political, financial and administrative matters did not improve and an Audit Commission review stated:

'Hackney is not a well run council and has not been for too long. There are some good services in Hackney and there are many staff who are working hard and doing a good job. ... However, Hackney's weaknesses are fundamental and considerably outweigh its strengths...The Council faces a deficit of up to £40m in 2000/1 if urgent action is not taken...There has not been clear political leadership and it remains too difficult to identify how decisions are made and how to challenge them..' (Audit Commission 2000, Chapter 3)

Mayor Pipe described his own experiences of this turmoil, having been elected as a councillor in 1996:

'...it was hung, completely mad, overspending by £20m a year. The Borough Treasurer didn't even know that we were collecting just 65% of the Council Tax...budget deals were cut on the night, budget night...you'd have, when you were only collecting 65% of the Council Tax, the fact that it was predicated on 95[%] and then you would get one of the opposition councillors coming up and whispering in the Borough Treasurer's ear and saying: "You know, come on, you know we can take 97, can't we?" and the Borough Treasurer was going: "Well, I can't really see...why, but you could theoretically collect 97" and the

this time, in Charles Square.
89 <http://news.bbc.co.uk/1/hi/education/299656.stm> accessed 05-06-2007

budget would be set on 97%, much to the protest on our side obviously...'
(interview data)

In light of these problems in 2001 five separate government departments used their powers under s15 Local Government Act 1999 to issue "Directions" to the council to take measures to protect key services and tackle the financial crisis (Wilson and Game 2002:157), with one minister also considering taking over the entire financial management of the council⁹⁰. Against this background of organisational failure, threats of central government intervention and fears about failing services, the council used the opportunity offered by the crisis to hold a cross-Party Democratic convention chaired by Professor. George Jones that recommended a mayoral model (LGA 1999:11). The Labour Group chose to play a key role in driving forward the proposal once the LGA 2000 had provided the legal basis for executive mayors resulting in the referendum in May 2002 and the first executive mayoral election in October 2002 (Copus 2006:26).

In exploring the role of the executive mayor as a political leader as well as a representative, Mayor Pipe stressed the concept's multi-dimensionality by identifying the core representational roles of the post, namely being the community's advocate to the council as well as the council representative to the government, along with demonstrating an awareness of the potential of the role to provide cohesion within the majority group as well as the council itself. Given the political history of the borough as summarised above, it may not be surprising that Mayor Pipe summed up the executive mayor's key role as a complex one:

'...my job is to be facing both ways. My primary thing is to represent the people of Hackney to the Council...but... the primary thing that the people in Hackney wanted of politics and politicians was for the Council to be sorted out. My primary role is to represent the people of Hackney to the Council to say... this is what is meant to happen to local people and this is what they want to happen and we make it happen. One of the joys of my job is also to represent

90 (http://news.bbc.co.uk/1/hi/uk_politics/1410785.stm accessed 05-06-2007).

the Council back to the people and they want to hold me to account about: "Why didn't that happen? Why hasn't this been done?"...' (interview data)

By acting as the residents' spokesman and ombudsman, Mayor Pipe is operationalising a representative role by acting instead of, or in the best interest, of the wider population (Pitkin 1967:13). Yet, by being accountable for the delivery, or non-delivery of the council, he was also operationalising the leadership aspects of the post (Leach and Wilson 2000:16). Mayor Pipe indicated his awareness of having to manoeuvre between the two extremes by saying: *'So, it is a question precisely about who I represent.'* Politically, these statements indicate one difference in the executive mayoral system from the previous council-committee model in that Mayor Pipe conceptualised his relationship as being with the whole electorate, not a single ward.

Hackney's role as one of the host areas for London's 2012 Olympic Games provides an opportunity to explore some of the practical issues affecting executive mayoralities. Mayor Pipe noted how being elected by the whole borough rather than an individual ward had freed him to take a strategic, borough-wide perspective on development issues, rather than being driven by narrower ward-based considerations.

'...what this has allowed me to do, or rather, I haven't shrunk from doing because of being mayor, is actually taking quite a lead on what we should do to be able to facilitate it, such as the temporary closure of a park on the East Marsh. We've got about 78 football pitches, which cover about 11 hectares. But it's only for two seasons and as a result we'll get a bridge that will link Hackney to the Olympic Park, which otherwise wouldn't be there...And I believe that...there were benefits in having that...I think that people in a more vulnerable position, particularly if I was, say, leader of the Council and that happened to be my ward or something, I could have been open to a lot of pressure, fighting off the kind of, the status quo..And it's not about rolling over public opinion, but it has been about representing, you know, the wider opinion and the whole thing about the greater good, than just getting hijacked by what are, in some cases, a handful of people who say they are the Marsh User's group, that want...' (interview data)

The incident is quite revealing since it touches on how councillors can be subject to crises of representation when a policy that may be beneficial to the authority as a whole may disadvantage their own electors (Copus 2004b:188). An executive mayoralty has made a significant political difference since the separation of the executive mayor from the ward gave the local councillors greater freedom to articulate the needs of their constituents whereas under the previous committee system, the group whip might have been applied to restrict public discussion. Equally, that opposition did not prevent the decision from being taken, which would support the initial government vision of a stronger executive too.

According to Mayor Pipe, Hackney's political past demonstrated how a committee system could serve to obfuscate who was responsible for decision making.

'[between 1996 and 2001]...officers were used to writing multiple choice reports with no clear direction....I think that the mayoral model and the way it was introduced did re-establish stability.' (interview data)

Such a lack of clarity, especially where there are many standing committees, has been associated with corruption (Clarke 1983:xv, Tavits 2007:224). Although the legislation empowered the executive mayor as the sole decision maker, it provided an option whereby decisions could be made collectively and this was the model adopted in Hackney (s.14 LGA 2000, Crowe 2002:145). Thus a question may remain about how the application of the executive mayoral system in Hackney was delivering visibility and accountability. For Mayor Pipe, the constitutional reality of collectivity within local government was not reflected in public attitudes. Mayor Pipe reported that he received far greater public recognition now as an elected mayor than he enjoyed in his previous role as indirectly-elected leader of the council as indicated by the volume of correspondence alone.

'I mean, when it peaks, there was a rough patch when we were getting 250 bits of correspondence in a week, now, I think, it would be around the 30 mark at the moment, 30 to 40.' (interview data)

The above indicates that electors have adapted to having the executive mayor as a local political leader and are not overly concerned about the structure itself. From this, it is argued that the executive mayor's primary accountability should be to the electors. The cost of increasing the executive mayor's wider democratic accountability, however, was the diminution of scope of other elected representatives, namely councillors, to hold him or her to account. As former Cllr Ollerenshaw (Conservative) observed: *'...but the only way the mayor is accountable to council is through the budget which is a very clumsy way of doing things'* although he also suggested that a second possible axis of accountability would be to the Labour Group of councillors.

Another aspect of accountability explored was the possible use of unelected, non-councillor "deputy mayors" or cabinet members, who would be appointed by the executive mayor as occurs in the Italian system (Baldini 2002:366, Magre and Betrana 2007:186). Such appointments would mark a departure from the existing system where only councillors may serve in the cabinet (s.11, LGA 2000). Mayor Pipe noted that one of the disadvantages might be the impact on the majority Labour Group, especially if those appointed were not also supporters of the Labour Party. Such a concern illustrates the underlying issue in Hackney of the need for a leader to retain internal political cohesion. Nevertheless, Mayor Pipe did acknowledge that such appointments could be useful: *'If there was a skill that somebody had that couldn't be replicated from within the group then I would consider it in principle.'*

A second dimension identified by Stoker (1995:55,63) and Stoker *et al* (2002:8) was whether a leader exercised significant formal power themselves: "concentrated power", or whether there was a reliance more on influence or "de-concentrated power". An area where the influential role of the executive mayor as a political leader

appears to have increased was over the local election manifesto. Mayor Pipe asserted how the manifesto played a key role in shaping policy as it reflected the political will of the administration that was being elected, which he perceived as one of the goals that residents desired of the executive mayoral system: *'I think it is that fast-tracking of the re-establishment of the idea of political will and political control and manifesto.'* In delivering council policy, the manifesto remained a core document for Mayor Pipe. He said:

'...we have been able to be a little more participatory at a cabinet level, working with the management team in looking at options, based on manifestos, the pledges we've given in the manifesto that's been written into the corporate plan.' (interview data)

Given the manifesto's importance, Mayor Pipe's involvement in producing the document was to be expected:

'The wider Labour Party. We had a kind of workshop towards the end of 2005. And then a group of us worked up different sections and then it got polished up and finally it was given to me for a final, kind of, tweaking here and there. But as I'd been involved in over-seeing the whole thing...' (interview data)

The 2006 local election manifesto was a 20 page A5 document whose imprint⁹¹ says it was produced on behalf of all Labour Party Candidates (Hackney Labour Party 2006). The document bears the mayor's photo on both the front and back covers, the mayor wrote the manifesto's forward declaring: *'This manifesto sets out my vision for Hackney, as well as the detailed actions I and your local Labour team of councillors pledge to take should you support us in the elections.'* (Hackney Labour Party 2006:2). Therefore although the local and mayoral elections were separate from the point of view of election expenses, as explored in chapter five, in Hackney the executive mayoral office was viewed as the dominant prize for the Labour Party, not council seats.

⁹¹The imprint is a requirement from election law (s.110 Representation of the People Act 1983, as amended) that every item of promotional material carries the name and address of a promoter, the candidate(s) and the printer.

The change of emphasis alone would signify a major political difference that the office of executive mayor had made. The focus of the election campaign here indicates that the office of executive mayor is a locus of political power and it emphasises that councillors have a subordinate status in executive mayoral authorities. The process of manifesto formation may mark a new direction from other Labour groups where the local political party, possibly through the Borough or District Party mechanism, might take the lead in producing the manifesto (Hall and Leach 2000:162). Nevertheless, this must not be overstated since it is possible that indirectly elected group leaders may also have attained this role or that a more consensual approach was adopted by some Labour groups and local parties (Game and Leach 1996:136).

Another area considered was the restriction of the executive mayor's "power to" capacity over the appointment of senior officers since the legislation reserved this function to councillors rather than the executive mayor. Former Cllr Eric Ollerenshaw (Conservative), suggested that the mayor should be capable of influencing the councillors to ensure that a candidate he or she desired was selected. Mayor Pipe saw the benefits of a more direct role in recruitment, albeit only for the most senior posts:

'I certainly do think that we should have the power to, to recruit and dismiss....I suppose there are two questions there, aren't there? ... there's some thinking at the highest level, I mean I certainly don't think we should get involved in the managerial side so [we] shouldn't be able to...not below chief officer level. I think in practice it's always very difficult, I think, because I do have a veto on appointments.' (interview data)

Once in office, there was a possibility of either the influence or formal authority of the executive mayor being challenged where he or she wished to pursue a policy to which their own political party group objected. In the case of Hackney, Mayor Pipe

was unable to think of an instance where this might occur, but stated:

'It's never happened in five years now...what would I do if it did? If I couldn't convince a majority of colleagues in group, the first thing I would do is question the policy that we were looking at.' (interview data)

Such a statement may be an indication that in Hackney the formal power of the executive mayor, his authority, may be weighed against the need for the Labour Party to remain united, thus illustrating the importance of historical context in shaping institutional behaviour (Lowndes and Leach 2004:566). It might also indicate a weakening of the Labour Group's power over its leaders. If this were so, it indicates that executive mayors are producing a return to a more traditional model of *elite* dominance as theorised by Michels (1962[1915]:76) and observed in operation in councils by Elcock (1981:439,441, 2001:175) and Leach and Stewart (1992:18).

Applying the analytical models as outlined in chapters three and four, it was noted above in the Audit Commission's (2000:ch 3) review of the borough that the council suffered from severe deficiencies in both making decisions and in ensuring that those choices were made in a transparent manner. In the period of no overall control 1996-2001, Hackney deviated both from the classical dichotomy model of elected members devising policy, and officers implementing it (Wilson 1887:210) as well as from the model offered by Saunders (1979:218) in which the chief officers' group appeared to be the prime mover in proposing new policies. Since the introduction of the directly elected executive mayor, the cabinet model adopted allows for identifiable decision makers, all of whom are elected members. Yet, this improvement in performance has not been attributed to the adoption of an executive mayor. Crowe (2002:140) stated that the council was witnessing the impact of decisions taken in the previous five years during the period of no overall control, coincidentally, this would have been at the time when the authority was receiving some of its most negative publicity. Mayor Pipe added:

'Hackney didn't have any leader or chairs of committees, really, between 1996 and 2001, and officers were drafting multiple choice reports with no clear direction. And so bringing in the mayoral model really did ... the re-establishment of the idea of what is considered normal in other authorities...I think the mayoral model and the way was introduced did fast-track its re-establishment and the ... issues it does bring a degree of stability that was certainly much needed in Hackney. And I think that's largely one of the things people were looking for locally.' (interview data)

Having considered some of the internal problems within the council, the analysis can now explore one of the most significant distinguishing features of English executive mayors, namely that they are related to their constituents through direct elections and one of the underlying arguments of the thesis is that greater attention needs to be placed on representational issues. The respondents were probed on their attitudes towards elections in an attempt to elicit their core beliefs concerning the wider concept of who, what or where they represent. Mayor Pipe demonstrated an awareness of the duality of his role, which is balanced between leadership and representation, however, the need to be elected, and re-elected, also impacts on this choice, necessarily enhancing the partisan nature of the role as was stated above in chapter four. Such focus would be consistent with Elcock's (2000:24-25, 2001:105) conceptualisation of allegiance roles.

Given that Mayor Pipe perceived himself as accountable to the electorate, his views on who the candidates and electorate ought to be were sought. The legal position in the UK in 2009 was that an individual who did not reside in a borough could stand for election, either as an executive mayor or as a councillor, providing they owned land or property, or had their sole place of employment in that local authority area (s.79, Local Government Act 1972). Mayor Pipe affirmed that residency in an area ought to be the key consideration and stated that it was now local Labour Party policy to accept local government candidates who qualified only because they resided in the council area. On the issue of the franchise itself, Mayor Pipe was more receptive to

expanding the franchise to include local businesses:

'If you live here, your stake in the borough is far less, is less questionable...But, I am sure there are plenty of businesses who have been here decades and family businesses who may also feel they have a stake in the borough and I wouldn't say for a second they don't. But equally there are plenty of businesses here who, I mean, although this is going to sound very pejorative I don't mean it to be so, they are here to exploit, their businesses are here to make a profit and whatever, it is to exploit people in the area or exploit that location and business opportunity...' (interview data)

In this statement Mayor Pipe was affirming a notion of representation of place (Rawlings 1988:7) and also accepting a possible return of a modern equivalent to the business ratepayer vote that had been scaled back after 1945 (Keith-Lucas 1952:77) and abolished by 1970 (Rawlings 1988:78).

Both Mayor Pipe and former Cllr Ollerenshaw were broadly in favour of the electorate having a means to remove an incumbent who was seen to be failing in the office, but whose performance was not so unethical that it triggered suspension or dismissal by the Standards Board for England. One means by which this could be delivered is a recall mechanism, effectively a referendum ballot whereby a sitting mayor could be deprived of office and a successor elected. Clarke *et al* (1996:56) observed at that time that recall mechanisms were not common in most other executive mayoral systems. Recall has been a feature in a number German Länder, with incumbents being defeated mid-term, which resulted in the creation of the phrase "*Bürgermeisterkegeln*" - "mayoral skittles" (Wollmann 2005:34). Copus (2006:154) noted that a petition signed by one third of the electors would trigger a new mayoral election in Japan. During the research, such a process was conducted for the post of Governor of California, which did add some resonance to the question (California Secretary of State 2003). Mayor Pipe had a positive view about the role a recall referendum might play, as well as being aware of its potential abuse:

'I think kind of natural justice and everything probably would suggest yes, that

it would be fair that there was a recall mechanism. I do think the bar would have to be set quite high, though, to stop it being abused. I know that, and particularly if for nothing else other than the expense of holding a referendum, which is several hundred thousand pounds.'

The reference to natural justice may reflect Mayor Pipe's previous experience as an indirectly-elected council leader who retained his office by winning an annual election among fellow councillors. Equally, it could be argued that the electors made their choice of an executive mayor for a four year term⁹² As will be seen below in chapter nine through the experiences of other councils, such a threat to remove the incumbent was present in some authorities where residents, lacking a recall option, have mooted the idea of changing the constitution to remove the post of elected mayor altogether. Nevertheless, there remain concerns about the cost of conducting such a recall referendum and then, possibly a mayoral by-election.

Case Two: Middlesbrough

A wider range of respondents in Middlesbrough agreed to be interviewed than in Hackney. Mayor Mallon presented a challenge in that he turned the first eight minutes of the interview into a monologue although after this, he did start to elaborate his approach to the post and respond to questions. Interestingly, he did not declare himself a unequivocal supporter of executive mayors and expressed concern that the post could be abused. Mayor Mallon's comments were compared with an interview he gave in 2004 and there was a strong consistency in his statements (Fenwick *et al* 2004:28-37). Two members of the Labour group were available, the Deputy Mayor former Cllr Bob Brady⁹³ and the Leader of the Labour Group, who was also a cabinet member, Cllr David Budd. Some evidence of the back bencher's perspective was

⁹² Four years was meant to be the standard term but some executive mayors faced a three and half year first term (Stoke on Trent, North Tyneside, Doncaster) while one has over five years (Torbay)

⁹³ Bob Brady did not seek re-election in 2007

obtained from the Conservative leader, Cllr Pearson, who had many years' experience on the council and its predecessors. Two key officers contributed, the chief executive officer Jan Richmond and the borough solicitor, Richard Long. In addition, the key political journalist from the local paper, Sandy McKenzie also made himself available to provide a non-insider's view of the authority.

Middlesbrough is located in the North East of England in the Tees Valley in an area that had witnessed the decline of many traditional heavy industries – iron and steel, engineering and chemical - and it faced the challenge of trying to develop new sources of employment, especially service sector jobs (Audit Commission 2005:6). As a former Deputy Mayor Cllr Brady (Labour), observed, this had not rectified the local employment situation:

'The most disgraceful sight, anyway, I think, is going to the railway station or Middlesbrough bus station on a Sunday night and seeing droves and droves of young men kissing the girlfriend, the wife, the children goodbye on Sunday night, going down to London...because they cannot get work here.' (interview data)

The town was credited with the largest ethnic minority in the North East – 7.65 % in 2001 – which was, nonetheless, significantly lower than the position in Hackney where ethnic minority communities formed 56% of the borough's population.

There was significant difference between Hackney's and Middlesbrough's Audit Commission's performance ratings. Whereas the inspectors had voiced substantial concerns about Hackney, Middlesbrough attracted a more positive assessment:

'Middlesbrough Council is highly ambitious...The council has shown boldness and imagination in embracing the modernisation agenda. Recent innovation in the form of the mayoral system has added new credibility to the council's partnership with its local communities.' (Audit Commission 2002c:p4)

The good performance rating was achieved against a background of local government reorganisations as prior to the mid 1990s Middlesbrough was a “second

tier” authority with Cleveland County Council handling education and social services, but in 1995 the council became a unitary authority (BBC News 2007). One immediate political problem after this change was the need for the dominant Labour Party to integrate two sets of councillors with there now being fewer seats and fewer posts to go round. The ex-county councillors appear to have been successful, initially, in winning control of the Labour Group, however, their calibre and capability was questioned with former Deputy Mayor Cllr Brady describing them thus:

'I always say, the bus drivers took over. And they were T&G in the main, members, and they were bloody good bus drivers, but that doesn't necessarily say they're good politicians, they were inexperienced.' (interview data)

The in-fighting within the Labour group was so well known within the Labour Party that the researcher was first made aware of these issues by Mayor Bullock while still in London. In addition to this tension within the political side of the authority former Cllr Brady, stated that the new councillors were very dependent on the council officers, although this body did not enjoy stable membership with 13 senior officers departing in a few years.

It was in this context of internal tensions, problems with the officer support and yet generally good independent inspection that the council had embarked upon the move to an executive mayor. Two key individuals were identified as having driven this concept: the former chief executive officer – John Foster, and the then leader of the Labour Group - Ken Rucker. There were two key drivers for this reform: a political desire by some Labour councillors to be seen to be embracing change and so conforming with the desires of the Labour government, and a belief that the Labour Party would win the resulting election, a belief affirmed both by Cllr Budd and Sandy McKenzie, a key local journalist. At the same time as the Middlesbrough Labour Party was pursuing the mayoral option, there was evidence of a national political desire to ensure that the referendum was successful as Mayor Mallon said:

'...I was approached by a Labour official in May 2001 who said to me: we want an elected mayor, there's a referendum in October, if you throw your hat in the ring we'll get a yes vote.' (interview data)

Since this alliance was not made public, there were allegations that Labour supporters continued colluding and assisting Mallon throughout the election itself. McKenzie recalled a TV news programme that showed some unidentified local Labour party activists saying they were supporting Mallon, ordinarily an activity that would have ensured expulsion from the Labour Party. Therefore, there appears to have been a complex subtext within the Labour Party concerning the mayoral innovation with one element seeking to ensure that the project was a success, but without a Labour councillor winning. The “Bus driver” faction, as Cllr Brady dubbed them, was also defeated by the Labour Party not winning the mayoralty, therefore the executive mayoral system helped bring about a significant political difference within the Labour Group, if not the whole borough.

In attempting to discern the participants' attitudes towards local political leadership, it was noticeable that Mayor Mallon's focus was on the external, ambassadorial aspects of the role of executive mayor (Leach and Wilson 2000:89-107) as he stated *'I'm outward facing. The deputy mayor is inward facing. ..the chief salesman for the town, rather than the coordinator of the town'* Mayor Mallon emphasised that his background as someone not involved in party politics enabled him to approach his role with an understanding of business and management. His emphasis on the commerce was unexpected since, prior to being elected, Mallon had been a career police officer.

A tension between delegation and accountability was also revealed. Mayor Mallon illustrated his attitude saying:

'I have a great deal of legislative power and I delegate that to an Executive [Cabinet]..but I'm a great believer in accountability so all of the actions come

back to me.' (interview data)

Middlesbrough's chief executive, Jan Richmond, confirmed the Mayor's preference for consensus in her interview. Nevertheless, Mayor Mallon repudiated exclusively collective approaches:

'There was one mayor, ..and I asked him how he did his job and he said well, I do this, I do that, I do the other all in liaison with my political party and we decide, and I was shocked...that it was no different, then, to the previous system.'

Indeed, McKenzie cited the ability of decisions to be made without the need for prior approval by a political party group and the insistence on taking responsibility as one of the key benefits of the executive mayoral system. Furthermore, Mayor Mallon was also flexible about how he used consultation as a further demonstration of how he wanted to be the focus of accountability adding: *'So some of the things I do, I don't consult anybody because I want my destiny in my hands.'* By saying this, Mayor Mallon was expressing both the need for a local leader to be an effective governor (Elcock 2001:165) as well as to have firm grasp of the need to accomplish tasks (Leach and Wilson 2000:16). Mayor Mallon's approach to decision-making may be unusual given his background as a senior police officer, which is a hierarchical, disciplined structure rather than a more open commercial one. One area where the accountability relationship had changed was that of the cabinet to the executive mayor as opposed to a political party group. Mayor Mallon had tasked the deputy mayor with implementing a form of performance appraisal on cabinet members. In this approach the political party group has a negligible role of holding the cabinet members to account.

In considering the above, it is interesting to note Chief Executive Jan Richmond's definition of local political leadership: *'... leadership that recognises the unique qualities of the locality and public aspirations and demands for that which governance*

provides.' The phrase appeared to cover an important part of the role, especially the representational aspect in that the leader has to discover the aspirations and demands both of the people and of the place. There was a restrictive element in the tail part *'that which governance provides'*, which might be interpreted as restricting the role of leadership whereas for local government to be a true form of local self-government, it might need to redefine the envelope of what is permitted and not simply work within the given framework.

Here, evidence of how the executive mayors had made a political difference can be seen from the statement that cabinet meetings have become better focused and more strategic. Long, Middlesbrough's senior lawyer, observed that under the previous committee system, *'You can have a £100m scheme go through on the nod but if you want to relocate a bus stop, you'd have a two hour debate'* while under the new system there was more structured deliberation. Cabinet Member and Leader of the Labour Group Cllr Budd, concurred and illustrated how the cabinet was able to overcome some of the errors of the past by applying integrated approaches, for example he stated how new public buildings were being planned with maintenance and upkeep built in whereas before they had been left out, or left to another committee. Cllr Budd also said that the cabinet was better equipped to take an holistic approach whereas the committee system had been too fragmented.

The data demonstrate that the multi-party cabinet with high levels of delegation was still delivering accountable local government with visible decision-makers. Cllr Budd added that residents with a problem tended to approach the executive mayor as the first point of contact within the council, a process that tended to exclude non-executive (backbench) ward councillors and other cabinet members, which supports the concept that executive mayors are only accountable to the electorate. Indeed Long stated that the executive mayor was quite willing to phone people who had

written to him complaining about matters, hence he was developing a very personal accountability relationship with some constituents. The frustration of councillors, especially those who had been involved at a senior level prior to the reform, was observed by McKenzie who noted that the new executive structure provided fewer opportunities for public debate since there was no longer an elaborate system of committees and sub-committees at which councillors could speak.

Another change reported was the diminution of the power of the Labour Group to control policy with Cllr Budd stating that there had been an end to the previous system in which once policy had been adopted by the majority political party group it inevitably became the council's policy. Former Deputy Mayor Cllr Brady suggested that there had also been an alteration in the authority of the political party group over cabinet members, who were now far less likely to be restrained by party group policy or even disciplined for not following the group's wishes. Whereas it had been suspected that an executive mayoral system would enable executive mayors to become more distant from their political parties, the data from Middlesbrough suggest that the conceptualisations of the political party group need to be extended to incorporate the impact of the new structures on cabinet members.

Copus (2004b:230-234) offered four conceptual models to illustrate possible relationships between the party group and the cabinet where the political party group could be a "partner", an "arbitrator", a "filter" or a "Leviathan". Prior to the introduction of elected mayors, the Labour group had displayed many of the attributes of the Leviathan (Copus 2004b:234), the all-dominant but private decision-making forum. Since the change in Middlesbrough none of these types had been realised under the mayoral model though it may be argued that there are elements of the majority party group working in partnership with the mayor and executive. Furthermore, the relationship may exist only so long as the two agree on objectives and should there

be a divergence it would appear that the political party group would be largely powerless in this executive mayoral authority.

An alternative explanation could be that the executive mayoral system may have restored the system that operated in the late 1970s where senior committee chairs were acting as a *de facto* executive. What would be significant here is that the *de jure* cabinet has strengthened the ability of the cabinet members to control the political process. Middlesbrough's data indicated that the executive, not the party group, was occupying the dominant position as the new "Leviathan" and the model of power implied here is one in which an oligarchy is dominant (Michels 1962[1915]:170). It marks a return to the *de facto* dominance of political party groups by a leadership element, especially the Labour Party, that was historically the case (Elcock 1981:439, 2001:175, Leach 2006:136).

As with Hackney, the question of whether cabinet members who were not councillors should be appointed was considered. Given the allegations that previous ruling factions in the Labour Group awarded external appointments to secure votes in internal elections and policy debates, it was notable the respondents were also consistent in rejecting the notion of appointing non-councillors to cabinet positions. Underpinning this is the principle that legitimacy and accountability could only be conferred and delivered through an electoral process. Even though cabinet members have to assume borough-wide rather than ward specific responsibilities, there was no support for the idea of a directly elected cabinet alongside a directly elected mayor either, although former Cllr Brady noted that there were pressures of work that diverted him from his ward, saying: '*But it's also because of the enormity of the job that I do you tend to become divorced from the issues, which are important to local people, the people that elected you.*' The alteration in the channels of accountability, especially the contraction of the power of the political party group in Middlesbrough,

indicates that the executive mayoral system had enhanced the authority of the executive mayor and cabinet at the expense of councillors, especially over the non-executive members in the majority party group. Moreover, this demonstrates that the executive mayor is so secure that he or she does not need to devote significant resources to securing internal political cohesion.

Mayor Mallon demonstrated a more sophisticated understanding of the concept of power than a narrow application of hierarchy. Copus (2004a:577) and Stoker *et al* (2002:4) represented power as being divided into "power over" - formal hierarchy - and "power to" - influence. Mayor Mallon indicated a practical grasp of these elements:

'I've much power as an elected mayor, but I have another power which is just as important, so I don't believe that anybody is beyond my grasp, whether it be the police, fire, ambulance, primary care trust, NHS, anybody.' (interview data)

Former Cllr Brady suggested that an executive mayor's ability to exert influence was enhanced by the fact that he or she was directly elected and therefore possesses both legitimacy and a degree of 'standing' in the local community. Hence, an executive mayor is placed on the same level as a director of ICI (a large local employer) in a way that the previous indirectly elected leader of the council would not have been. Cllr Brady added that cabinet members have also benefited from increased influence from the new structures and this capacity extended beyond the borough boundaries. There remained a question about whether the executive mayor is capable of exerting this influence because of his charismatic qualities rather than any institutional tools. McKenzie felt that personality was the key factor, however, without the institutional change, it is arguable that the present incumbent might never have sought election as a councillor and so would not have had any platform from which to exert his charismatic influence, and certainly would have had difficulty in becoming leader of a party political group.

In evaluating changes to the balance of power, the introduction of the executive mayor in Middlesbrough appears to have had several distinct impacts. Deputy Mayor Cllr Brady described how in the previous system the allocation of posts with extra allowances was used by the dominant faction within the Labour Group to secure support:

'...the 20 odd people who held office were not the best choice, they were not the best able councillors, the corruption, when I was told about that, there was a well-known feature of their organisation that they had pay-roll, and that people were expected to fall in line. That's the corruption.' (interview data)

The opinion that this was corrupt was shared by Mayor Mallon who said:

'You would get the dominant group being a Labour group, and some clown comes along and says: "I want to be the leader, so you, you, you, you and you vote for me, and get all your pals to vote for me from the Labour group as leader, and I'll make sure that you lot get a real good job and you'll all get paid 10 grand a year." OK. That's corrupt.' (interview data)

By appointing cabinet members on the basis of a written application and interview, as well as using a performance appraisal process once in post, Mayor Mallon had taken steps to end this perception of corruption. The second area of change was the balance of power within the political members of the council had altered with greater power now being focused in the executive mayor and the cabinet, to the detriment of backbenchers. Mayor Mallon stressed how he was prepared to proceed on some issues without engaging in consultation, since he interpreted his job as being the executive decision maker. For example, he took the decision to raise chief officer's salaries alone, an act that was controversial and Cllr Pearson (Conservative) argued that it could have been handled better by involving the political parties on the council. A third aspect of the change in the balance of power was the cabinet members' increased scope of authority when compared to the role of the committee chairs in the previous system. Respondents added that there is a "price" to this increased power in that a cabinet member was expected to have a far greater command of the

work of his or her department than was witnessed from a committee chair. In particular, Cllr Budd stressed how decision-making had changed:

'Well, the other change that has happened, which I hope would have happened anyway, instead of effectively, you know, the old-style committee meetings being officers' reports...this is the situation then members muttering away in the background and eventually come to a decision. All reports are actually led by the executive member.' (interview data)

While developing a more streamlined and accountable decision making process was one of the government's objectives (DETR 1998g:19, 1999:6), it has raised some questions about probity. Long, the borough solicitor, mentioned the potential problem of the "first in" syndrome, in which the executive mayor's or cabinet member's approach to an issue may be affected by the undue weight given to the arguments of the first person to raise the topic. If this were to happen it would bring into question whether the constitution's rules on decision making have been followed, especially the requirement to maintain a presumption in favour of openness (Middlesbrough 2006: Article 13.2 (d)). A second issue of probity concerned whether the cabinet was a decision making or a decision taking forum. Cllr Budd described the use of informal executive meetings to help with the decision-taking process:

'One of the things we have, which I think is incredibly valuable, perhaps we don't realise how valuable it is. We have an informal executive meeting every week...That's a purely private meeting, it doesn't make any decisions, but it talks through issues, it makes sure we all have you know, an idea about what each other is doing...So that it means when we come to a decision-making process, we've already talked about it, and it's not with an intention to fix it, it's just the way that people work together.' (interview data)

The evidence from Cllr Budd and former Deputy Mayor Cllr Brady did confirm that these participants had acknowledged the need to separate the formal decision-making moment from the decision-taking process in order to ensure transparency.

Conclusion

In chapters three and four, three conceptual models were introduced to plot the political differences that might have occurred in executive mayoral authorities:

- 1) Svara's dichotomy model measuring the operational “space” shared between the chief executive and the executive mayor (Figure 10, p94);
- 2) The triangular model indicating the shift of power between the executive mayor, chief officers and the councillors (Figure 11, p95); and
- 3) A continuum framework indicating the government's normative model (Figure 12, p97).

Based on the data above, and taking into account the reviews of constitutions and decision-making at cabinet meetings (chapters six and seven), the following models are a graphical representation of the political difference executive mayors have made on the functional space between the local political leader and the chief officer in Hackney (Figure 15, p298) and Middlesbrough (Figure 16, p300).



Figure 15: The executive mayor - chief executive dichotomy - Hackney

Key Yellow line – the position with an executive mayor

Source: Based on Svara 1990:20 interview data and researcher's observations

Figure 15 (p298) omits any line signifying the balance of power in the pre-mayoral system as there were a number of difficulties in determining who, if anyone, controlled which “block”. Both Mayor Pipe and Cllr Grimble's evidence assert that neither the chief executive nor the leader of the council had control of any of them. Given the size of the over-spending and the failure of the services under the old committee system (Wilson and Game 2002:157), it is not appropriate to allocate a division. Therefore, having an elected executive mayor has made an enormous difference in this local authority by, as Mayor Pipe stated, restoring what would be considered normal elsewhere – a necessary tension between the political and administrative heads (Self 1977:150, Mourtizen and Svara 2000:47) rather than the chaos of the late 1990s. It is arguable, however, that the executive mayor is exerting a strong influence over the administration. First, the researcher tried to make an appointment to see the Chief Executive, but was only offered an opportunity to speak to the executive mayor. Second, the Chief Executive departed in 2007 (*Doncaster Free Press*, 2 April 2007), and this sparked a debate in the journal about the job security of chief executives in the mayoral system.

For Middlesbrough the position is different as is shown in Figure 16 (p300) with the additional blue line representing the changes following the introduction of an elected mayor.



Figure 16: The executive mayor - chief executive dichotomy - Middlesbrough

Key Blue line – the pre-executive mayoral position
 Yellow line – the position with an executive mayor

Source: Based on Svava 1990:20, interview data and researcher's observations

The structural change has seen the executive mayor exert strong control over policy and mission, however, as Mayor Mallon stated, the Chief Executive plays a key role:

'So I'm the community activist, and I give the chief executive political direction. And 95% of it she entirely agrees with, and 5% we'll have a debate about. Sometimes she'll influence me to say we shouldn't do that, and sometimes I'll influence her where she'll say, yes, that's right, and we can improve it by doing it like this. Probably, 2 percent we completely disagree on, but because I'm objective, I can actually say well, yes, there's a point here. Because I've got the right chief exec.' (interview data)

As for moving out of a key role in managing or administering the organisation, Mayor Mallon explained:

'It's a myth that I run the town on a daily basis, it's the chief executive and the officers of this council do that under political direction from me. and 'I'm outward facing, the deputy mayor is inward facing.' (interview data)

Having reviewed the relationship between the executive mayor and the chief officer, it

is beneficial to review the three-way interactions of the key decision-makers in the old and the new systems: the executive mayor, the chief executive and the non-executive councillors, to determine what changes, if any have occurred. To represent this, the following triangular conceptual maps for Hackney (Figure 17, p301) and Middlesbrough (Figure 18, p302) will be used. These maps will plot the change in the balance of power between the three “poles”: executive mayors and their cabinets, the chief officer and his or her senior management team, and backbench councillors. The importance of these three groups is inferred from the observation of how the councils were operating and since all parts were present, albeit with committee chairs and a council leader rather than a cabinet prior to LGA 2000, it is possible to identify changes in these interrelationships



Figure 17: Conceptual representation of the change in the balance of power in Hackney

Source: researcher's observations



Figure 18: Conceptual representation of the change in the balance of power in Middlesbrough

Source: researcher's observations

The data for both Hackney and Middlesbrough indicate that the control of political power and decision-making within the council has become more exclusively lodged with two elements: first the executive mayor and their cabinet, and second the chief executive and the senior officer team. If there are “losers” in this process it is the backbench councillors who have become distanced from the locus of power and therefore less able to influence the actions of the council. Nevertheless, as noted by Elcock (2001:175) and Leach (2006:136), this may have meant the restoration of an

earlier pattern and the concept of the majority political party group as dominant decision-making body, as investigated by Copus (2004b:93-94), was a limited temporal variation from the 1970s to the 1990s.

The third analytical framework, the comparison of the executive mayors against a normative model of what the government expected the new structure to achieve, will be employed in the final chapter. In Hackney and Middlesbrough there were both longitudinal and horizontal differences. These executive mayors have been able to distinguish themselves both from what came before and from each other. Nevertheless, there are a number of underlying political patterns that are becoming apparent.

- Decision-making and political power has been formally transferred away from backbench councillors to a small core of senior officers and the executive mayor and cabinet.
- The electorate is able to identify the mayor so clearly as the person in charge that the executive mayor is acting as the contact point for all issues to do with the council, further relegating the non-executive members.
- The third issue as identified in chapter five is the failure of the executive mayoral system to excite a significant difference at the ballot box, even though electoral legitimacy is a key value in the system.

The remaining executive mayoral authorities will now be investigated to establish if these patterns are common to all or if they are distinct to the two cases selected.

CHAPTER NINE: EXECUTIVE MAYORAL GOVERNANCE – BEDFORD TO WATFORD

Introduction

The analysis of Hackney and Middlesbrough indicated that a key change, which arose from the adoption of an executive mayor was a strengthening of control over the authority by the mayor and cabinet along with the chief executive and senior officers, while backbenchers were rendered less relevant. In order to determine if these changes are more widely generalisable, data from the other nine mayoral authorities: Bedford, Doncaster, Hartlepool, Lewisham, Mansfield, Newham, North Tyneside, Torbay and Watford, will be reviewed.

Constraints of time and resources mean that these councils were not investigated to the same degree as Hackney or Middlesbrough, however, similar questions were asked so as to facilitate comparative analysis between these mayoral authorities. These themes are used to provide a basic analytical structure. Section one will set out a brief historical and geographical outline for each authority. The second section will provide some information about who the respondents were. Data will be introduced in the third section that will focus on the conceptualisation of executive mayoral operation as a form of representation and local political leadership, and consider how the respondents themselves identified and reacted to these concepts. The section is significant since it most directly relates to the core theme of this thesis: how executive mayors have, or have not, made a political difference. As part of this analysis the issue of “to whom is the mayor accountable” will also be addressed. In

the fourth section the interviewees' attitudes towards the executive mayor's authority and influence are probed in an attempt to move beyond the formal-legalistic interpretations of the executive mayor and also to seek evidence of the mayors using "power to" rather than "power over" tools to achieve their ends (Stoker *et al* 2002, Copus 2004a:577). The fifth section considers the balance of power between the executive mayor, the officers and the other councillors and will employ a triangular diagram to map these inter-relationships. From the data, an overview about whether participants believed that introducing executive mayors had made a political difference within their own authorities will be obtained. The analysis will also seek to identify any generalisable changes.

Setting the Political Context

The local authorities are reviewed in alphabetical order. Bedford is the second oldest borough in England yet, with 19% of the population coming from ethnic minorities, it was also ranked as one of the country's most diverse councils. Whilst retaining its own light engineering sector, the town's residents also commute to Milton Keynes, Northampton and London (Audit Commission 2004a:8). As a geographical unit the authority also had a number of outlying villages and, at the time of the field research, it was also a second tier authority dependent on the county council to provide social services, highways and other key services.

The most important element of Bedford's political history was its record since 1986 of having no single party in overall control (BBC News – Bedford Election Results 2002, 2004, 2006, 2007a). Under the previous committee system, it was possible to have a council without an administration, however, the new executive arrangements require all local authorities to have an administration of some kind (s11 LGA 2000). Bedford may offer evidence of a significant change as a consequence of moving to the

executive mayoral system demonstrating how the political parties can learn to collaborate both with each other and a new mayor, especially as this mayoralty was won and held by a candidate from a minor political party between 2002 and 2009. In 2009 the residents of Bedford became the first to experience the transformation from a second tier council with an executive mayor to a unitary authority, with all the additional services and responsibilities which come with that (*The Bedfordshire (Structural Changes) Order 2008*). Whereas adopting an executive mayor required a referendum, no such consent from the electorate was required for this change to Bedford.

Doncaster is an area undergoing economic change. Since the loss of local mining industries in the 1980s, the town has become a manufacturing and logistics centre and, unlike some other northern English towns, its population started growing by 2006. Although there were fewer black and ethnic minority residents than the national average – 3.5% of the population as against 13% - the town had a substantial community of gypsies and travellers, as well as asylum seekers (Audit Commission 2006c:11). One of the most important aspects of Doncaster's recent political history was the late 1990s corruption scandal involving senior politicians and officers, dubbed "Donnygate", which resulted in the electoral fracture of the once hegemonic Labour Party. The existence of several competing alternatives had, however, helped the Labour Party retain the mayoralty, though not a majority of council seats (*The Guardian* 13 March 2002, BBC News – Doncaster Election Results (2002, 2007). Doncaster was also significant as in June 2007 the councillors voted for a referendum to adopt an alternative system (*Doncaster Free Press* 29-06-2007). There was no clear provision of process to remove an elected mayor in the Local Government and Public Involvement in Health Act 2007 and no change in executive arrangements had occurred by November 2009. Another political development occurred in July 2008 with Mayor Winter being suspended from the

Labour Party and excluded from re-selection to contest the 2009 elections. In December 2008 Doncaster was rated one of the worst authorities in England for caring for children at risk and it was reported that up to seven children may have died as a result of the council's failures.⁹⁴ The mayoral election in June 2009 produced a surprise result with the victor being Peter Davies from the English Democrats, giving that political party control of its first council⁹⁵.

Hartlepool is located on the North East coast of England in the Tees Valley with a rural hinterland joined to the urban coastal areas. It has suffered from the de-industrialisation of its traditional mining, manufacturing and port-based industries. As a result of this, the borough was categorised as the 14th most deprived of 345 English local authorities with half the population falling in areas that are in the ten most disadvantaged districts (Audit Commission 2007c:11). Prior to the mayoral election, the local authority had seen a short-lived Conservative-Liberal Democrat alliance in 2001 replace the formerly dominant Labour Party (Cllr Preece interview data, Wilson and Game 2002:230). Therefore, one of the political differences that might be identified is whether having an executive mayor has provided a stability and direction to the council that had been lacking. The first mayoral election in Hartlepool attracted considerable media attention because one of the independent candidates was such an ardent supporter of the local football team that he was even their mascot. Nevertheless, he won both the initial election, albeit by a small margin, and was subsequently re-elected in 2005 with a sizeable majority (BBC News – Hartlepool 2002, 2007). Mayor Drummond successfully secured a third term in June 2009 but with the Labour candidate coming third, he had a much smaller majority over an independent challenger who came second.⁹⁶

94 http://news.bbc.co.uk/1/hi/england/south_yorkshire/7823362.stm

95 http://news.bbc.co.uk/1/hi/uk_politics/8088799.stm

96 <http://news.bbc.co.uk/1/hi/england/tees/8084342.stm>

Lewisham is a densely populated inner London commuter borough that was created by the London Government Act 1963 from a number of distinct areas, that still retained their distinctiveness as “urban villages” (Audit Commission 2002b:8). The population is ethnically diverse with over 33% belonging to ethnic minority groups and 50% of school children coming from these communities. Apart from one large commercial concern, Citibank, the local council remains one of the largest employers and in economic terms the borough was ranked 30 out of 33 in London (Audit Commission *op. cit.*). Prior to the 2006 elections, the council had enjoyed a stable Labour majority, however, in May 2006 the Labour Party lost its majority, though the opposition was divided between five different political groups. Politically, Lewisham was of interest for its first mayoral election because of the rivalries between the leader of the council and Steve Bullock, a previous council leader and long-term advocate of elected mayors (Bullock 2002:131).

Mansfield is the largest urban area in Nottinghamshire after the city of Nottingham itself. With fewer than 5% of the population coming from ethnic minorities, the borough was less diverse than either the region or the country. The decline of manufacturing industries meant that unemployment was still an issue and many of the new jobs created were described as low salary and unskilled. Unlike the rest of the East Midlands, which had experienced population growth of 10%, the borough had witnessed a decline of 1% from 1982 to 2002 (Audit Commission 2007d:9). In geographical terms, although Mansfield was the dominant town, Mayor Egginton commented on how the council had been formed by combining three local councils – Warsop, Mansfield Woodhouse and Mansfield itself. As a council that had enjoyed a Labour majority since 1973, Mansfield's political landscape had changed substantially since the election of an independent executive mayor in 2002. The full council elections the following year witnessed the success of independent council candidates who were allied with the independent executive mayor many of whom joined him after

2005 as members of the Mansfield Independent Forum registered political party.

North Tyneside ranges from the coastal resorts of Northumbria to the former dockyards along the river Tyne to former mining villages inland. The area has good communications links, including an international ferry terminal, and traditional manufacturing jobs, which have been replaced by call centres and retail employment. The three-way geographical division of the borough was reflected in a three-way, almost geographical split, in political representation with the Conservative Party tending to represent rural or resort areas, the Liberal Democrats with a small niche in the old shipyards, and the Labour Party holding the rest. Minority communities formed less than 2% of the population. The borough as whole was one of the most deprived in the country with 30% of the residents living in the 20% most deprived wards (Audit Commission 2007e:10). The Duke of Northumberland remained a significant participant in local affairs since he owned considerable estates in the council's area. As with Hackney and Watford, North Tyneside had endured a period of crisis due to poor management resulting in a budget shortfall of £19m and was rated by the Audit Commission in 2002 as one of the worst in England.

Newham is located in East London and possesses some diverse characteristics with elements of inner city deprivation even though the western parts of the borough are close to the wealthy Canary Wharf financial services district. Over 40% of the population were under 25 against a London average of 31% and over 110 languages were recorded as being spoken locally. Martin Lewis, the borough's Corporate Strategy officer noted that while the Indian, Pakistani and Bangladeshi communities were well-established, with councillors from those communities, new arrivals were more of a challenge:

'We know little about people from Eastern Europe, or South America, and other places also, and we don't interact with them. And it may be because

those communities are so new that they haven't yet got to the position, they're establishing themselves...' (interview data)

Unemployment and deprivation remained serious challenges although the council gained a great opportunity in 2005 to lever in investment when London was named as the host city for the 2012 Olympics (Audit Commission 2006e:11). Since being created in 1965, Newham has always enjoyed a comfortable Labour majority and for some periods every single councillor had belonged to the Labour Party (BBC News – Newham Election Results 2002, 2006). In 2006 Mayor Wales, the former council leader was re-elected. The only political change was that the number of elected opposition councillors rose from one to six – three from the Christian People's Alliance and three from the Respect Party.

Torbay is an unusual local authority in that for most of the year it is one of the smallest boroughs in terms of population in England, yet, as a holiday and conference resort, its population could swell by 50% at peak times. The core population included a large proportion of retired households, 43%, against a national average of only 34%. While most of the area was deemed fairly affluent, there were some pockets of deprivation and the borough had suffered from the migration of young people, though there had been a recent influx of workers from new EU member states (Audit Commission 2007f:10). Politically, the council had a poor reputation since gaining unitary status in 1997 since by 2009 no political party had retained a majority of seats at the subsequent election with control alternating between the Liberal Democrats and the Conservatives (BBC News -Torbay Election Results 2003, 2007). It was surprising that Torbay had not been identified earlier by the government for the executive mayoral model since the Audit Commission reported: *'A recurrent theme of inspection findings of Torbay council has been the lack of strategic capacity and leadership.'* (Audit Commission 2002d:4). There was a referendum in 2005 following a campaign by a local citizen, David Scott who was

described in the media as a former president of the local Liberal Democrats, making this move a surprise given the Party's opposition to directly elected executive mayors (Mullholland 2005).

Watford is a largely urban authority on the north west outskirts of London within the orbit of the M25, being served by the M1 and high speed trains to London along with the London Underground and Transport for London bus services. It has quite a diverse population with 21% of residents coming from ethnic communities and its traditional manufacturing industries – brewing and printing – have been replaced by service economy employment (Audit Commission 2007g:8). Watford's previous Labour Council had witnessed financial problems with Alistair Robertson, the Managing Director, stating:

'The council had got away amazingly unscathed with the news that its accounts had not been qualified but had been totally disclaimed by the auditors, the first time that had ever happened in local government.' (interview data)

The Liberal Democrats had been opposed to the adoption of an executive mayor, and had been increasing their representation on the council so that by the time of the first election in 2002 it was hung. Since then, the Liberal Democrats have secured an overwhelming majority of council seats and Mayor Thornhill was re-elected in 2006 with a majority of the first preference votes alone⁹⁷.

Leading the Locality and Representing the People

As with Hackney and Middlesbrough, attempts were made to reach similar people as part of a selective interview strategy, however, not all responded or were available at a mutually convenient time. In one case, Doncaster, the request to interview the then Managing Director was declined and it was explained that because she and the

⁹⁷ www.nlgn.org.uk

executive mayor shared the same administrative office, it had been decided to grant only one interview. On attending a council meeting in Doncaster it was noted that the Chief Executive was conducting a high profile investigation into the executive mayor and shortly thereafter she left for another authority (*Doncaster Free Press* 02-04-2007). In all but one case, Newham, either the executive mayor or the chief executive was interviewed.

First, the respondents were asked about their understanding of the term local political leadership. Mayor Drummond stressed its inclusive and empowering nature:

'For me a lot of it is getting people involved in the decision-making process, making them feel part of it and trying to come up with an outcome that is satisfiable to the majority of people rather than just sort of standing up there on my own saying "this is where we go, and like it or lump it".' (interview data)

Such a definition does not accord with a “command” or “power over” model of leadership, rather it resonates well with “power to” conceptualisations . It also implied that the post was political, even if it was not always party political, since it framed the function within the context of public policy decision making and compromise as suggested by Crick (1982:21). A second approach centred on accountability and the exercise of power legitimised through elections with Mayor Bullock saying:

'Politically, I see it as being those people whose electoral mandate is to deal with that locality, so councillors or to take someone like myself, the elected Mayor...It's not exclusive but I think the primary leadership role falls to the, ..., in my case, the Mayor, in other cases the leader and the councillors.' (interview data)

North Tyneside's re-elected Mayor Arkley added:

'I saw it as...being the person where the buck stops...I was there as the political head, as the policy maker. It was my role to listen to everyone, to the public, to the residents and also with the business people and also the council and the councillors. I was also a policy maker and from that point of view it is, it isn't easy, but it was something that you have to separate out your political view to then take forwards the overall future of the borough.' (interview data)

Here, Mayor Arkley was balancing the leadership and representational roles, recognising that her policy making could not be derived simply from a partisan platform. If this is realised, it indicates a political difference from the new executive mayoral system in that it does allow the senior politician to be less party-political once in office.

A third cluster of definitions located local political leadership in the context of “visionary” or “community leadership” - with the executive mayor's role being that of focal point. Mayor Thornhill described it as:

'The strategic direction of the town being provided by the senior politicians of the town around a whole range of areas that are not necessarily confined to the council...Health, regeneration, transport in my case because I am only heading a district council..' (interview data)

Mayor Harrison offered a similar view that local political leadership was about:

'...someone who gives the political steer and direction for not only the people of North Tyneside, ...so ... political leadership is giving it that direction, not only to meet my political ambition but also the ambitions of where we see North Tyneside in the future, because it's not just seeing North Tyneside over a four year mayoral term ... So that political leadership is... what will North Tyneside be like in 20 years time?' (interview data)

For those who describe representation of place (Rawling 1988:7, Lyons 2007:56), it is significant that Mayor Harrison mentioned his borough's name 5 times in just over 100 words. John Burton, Mansfield's senior lawyer, said of local political leadership: *'I would exclude party political leadership, local political leadership is giving a focus for leadership to, and expression of the community's current issues.'* Tony Brown, his counterpart in Hartlepool, conceived the role as being a bridge or link between the community and the decisions that affect them. Such a role would require the executive mayor to develop a strong skill in weighing alternative perspectives since there might be a danger of his or her opinions being swayed by efficient lobby groups or the concern that the first person to gain the mayor's attention could shape the

policy agenda. Attitudes like these define the role of executive mayoral leader in terms of being a representative, which could be significant both in ensuring that the role is political and in relating the office to the electors throughout the term of office and not just at elections (Crick 1982:69, Stoker 2006:164).

Not all respondents accepted the question's premise. Bedford's late Mayor Branston, a former newspaper editor answered:

'It's leadership that should be local and it shouldn't be political...Politics is the business of power...Well, I'm an independent as well. But, I think it's nonsense to say you're not political.'(interview data)

The definition presented a number of challenges, since the first part implies that the post of executive mayor was not about exercising power, yet, this it was contradicted a few sentences later when he stated:

'I mean what you do, what you do as mayor is more or less bound to be political because apart from anything else, there's always going to be somebody who is going to be watching you critically...' (interview data)

The rejection of politics may be related to Bedford's tradition of having no overall control and it is noticeable that the executive mayor is not even defined as the council's political spokesman (Bedford 2005:Article7.3). Nevertheless, Mayor Branston was elected as the candidate of the Better Bedford Independents Party, a registered political party, which has also nominated candidates for council elections. Cllr Attenborough, the Conservative Group leader and also a cabinet member, asserted that this new party had not brought a radical change: *'...quite frankly the mayor and his Better Bedford lot are no better than any other political party. In fact, we're more efficient.'* The response demonstrated that she perceived both the role of executive mayor and the way it was being discharged as being political. A wider concern might be the implied denial that the post of executive mayor is political at all though this could be a failure to distinguish between “political” and “party political”. For example, Mayor Egginton (Mansfield) said:

'...the reason for me standing as an independent mayor was to take politics out of local government...I feel that local political leadership should be certainly to be aware of the issues that are raised locally by people...' (interview data)

Mayor Winter (Doncaster) offered a different perspective stating:

'...quite simply, you know, the issue, like, the personification of governance policy in a local context. You know that we work within the context of a Labour government and that, as a Labour mayor you would expect to see me putting into practice my Labour, our Labour government policies and strategies in a local context.. More than anything, I think because of the, the mandate you have as an elected mayor I think there's the opportunity for you to put your spin if you like, your added dimension into local politics, on the basis of your own beliefs, over and above all outside of the political doctrine.' (interview data)

While Mayor Harrison managed to stress his authority's name repeatedly, Mayor Winter mentions the Labour Party four times in only 113 words, which makes his subsequent departure from that political party in 2008 following his failure to secure re-selection as a mayoral candidate, more interesting and more surprising (*Local Government Chronicle*, 29 May 2008).

The range of opinions offered confirms the contested nature of local political leadership hence the concept will now be parsed into five dimensions to determine if any additional insight can be produced, commencing with how the role of executive mayor is understood in relation to agenda setting. One of the executive mayor's core leadership tasks is to set the political agenda for the organisation (Kotter and Lawrence 1974:49, Leach and Wilson 2000:13, Elcock 2001:65, Fenwick *et al* 2006:43), which implies that when executive mayors entered office they had some notion of the goals they wished to achieve. While a political party may equip a candidate with a manifesto or an ideology, an independent might lack these.

Yet, it was not just independent or minor party candidates who were criticised for the lack of a political agenda. Independent Cllr Mick Maye (Doncaster), was highly

critical of Mayor Winter's lack of vision and control over the council's agenda saying: *'This man stands up at full council and says: "ours not to reason why".'* Cllr Maye described the policy process as *'...policies get made in some little dark room somewhere in a government office. And they get passed through government down to local authorities who then have to do as they're told.'* There are two possible implications of this. Firstly such an attitude illustrates that the executive mayor is a mere agent to the government as principal, which confirms local government as a subordinate body. Secondly, it could demonstrate that the elected mayor is the agent of the senior officers, who are acting as principals, demonstrating a return to a pattern of officer-run councils as reported by Saunders (1979:218).

Mayor Egginton offered a populist inspiration for his policies as part of his understanding of leadership stating:

'I feel that local political leadership should be, certainly to be aware of the issues that are raised locally by people. People initially said to me when I stood: what are your policies? You, the people of Mansfield will make my policies, because it will be issue driver. So, I would say that the people still drive my political leadership.' (interview data)

For this approach to be effective, it must be assumed that "the people" make the right choices (Stoker 2006:135). Given the complexity of local government, the range of national performance indicators, independent inspections and strategies to which local decision making is subject, it is questionable how competent these choices might be. The presence of political parties deemed "extremist", namely the BNP and Respect in English local government, has raised a concern that "the people" might wish to see discriminatory or illegal policies adopted.

In addition to this, some groups or subsets of "the people" may be more able to articulate their desire or needs and thereby secure control of policy. There is some evidence to show that these groups tend to be better educated, and from wealthier

socio-economic groups than the majority of the population (Elcock 1994:26). Sartori (1987:7) noted, that '*power to the people*' means power to '*some of the people*'. Another issue raised by Burton, Mansfield's senior lawyer, concerned the attitude of a number of the independent councillors, part of the Mansfield Independent Forum since 2005, who stressed their role as being the "anti-establishment" element. Yet, with their mayoral candidate having been elected and re-elected, there was a necessary transition required to run the local authority and hence become the new establishment.

Setting The Agenda or Responding to Events

Having considered that some executive mayors are being elected with at least a notion that they ought to be developing an agenda to implement, the next step is to investigate how they have delivered it, especially as some councils had faced political scandals (Doncaster), administrative shortcomings (Torbay), or financial failings (Watford and North Tyneside). Another concern was that newly elected mayors, would not be able to impose their agenda on the authority, especially if they came from a non-political background. Both Mayor Thornhill and Mayor Arkley in North Tyneside stressed that being the directly elected mayor assisted them in helping to restore the fiscal stability of their local authorities although in the case of the latter, this was at the cost of delivering other parts of her agenda and she said: '*The problem I had with my own agenda was that we had no money.*' Mayor Arkley also stated that the early timing of her re-election – in 2005 rather than 2006 denied her the opportunity to deliver her substantive reforms and so that she was not judged by the electorate on her real work. Hence a concern must be whether executive mayors have the means to deliver their agendas for which they are elected and then held to account.

One device to ensure task accomplishment might be through giving the executive mayor a greater say in the hiring and firing of staff. Pressman (1972:522) observed that the executive mayor needed sufficient control over staff in his or her personal office in order to be effective, but that did not necessarily need to extend to a wider hiring and firing prerogative. The then Cllr Arkley commented that she had been severely constrained by the unwillingness of the council officers to change their staffing arrangements to integrate more effectively with the executive mayor's office:

'I was always told that I couldn't have any extra staff. And that was just absolutely barking. And it upsets me to see the team of officers who were saying "no you can't, we don't have the money" and all of a sudden they've got secretaries upon secretaries.' (interview data)

Her successor in 2005 in North Tyneside, Mayor Harrison, was able to create new posts of corporate policy officers to ensure that policy decisions were implemented: *'I had an opportunity to appoint a political assistant but I said no, I wanted to do it differently, I wanted more policy advice'*. Having been re-elected in June 2009, Mayor Arkley now has a second opportunity to shape the administration in North Tyneside. Lewisham's head of Community Governance, Sheehan offered an officer's perspective and stated:

'I don't necessarily think my role would have existed in the previous system. Where you have a directly elected mayor, you do need to have a look at your organisation in terms of how it supports the directly elected mayor. There's no doubt that the range of activities and the amount of steer that a directly elected mayor will provide in an organisation is probably greater and more hands on than...in the previous system.' (interview data)

Against this, Mayor Bye (Torbay) commented:

'But a political assistant, I just don't know how that would work unless it was the right person, because I'm me, and I respond to things in a fairly individual sort of way...' (interview data)

In Bedford Mayor Branston found his discretion to appoint curtailed by the other political parties:

'Yes I would like a political assistant, in fact, if I go for a second term I think I shall push for that. But the constitution says I can appoint my own PA though there was an argument over that when I got elected.... They classified my PA as a political assistant.' (interview data)

The experiences of Mayors Arkley and Branston indicate the weakness of the formal powers allocated to executive mayors and hence show why they may not be able to deliver the degree of political change that might have been anticipated. Although direct election provides them with legitimacy and accountability, the government, officers and other councillors have successfully restricted the leadership function in these two cases. Nevertheless, the evidence also indicates that the key attribute was whether executive mayors could use their “power to” abilities to secure the support mechanisms they desired. For example, in Mansfield Mayor Egginton (interview data) oversaw the structural change that replaced a chief executive with a more inward-facing managing director for the council.

Over-focusing on the task accomplishment role, however, might mean that the executive mayor becomes too focused on internal administrative tasks or short term goals. In the previous committee system this problem was revealed when a committee chair was perceived by his or her colleagues as being too eager to deliver the policy that the officers desired and not what the political party group intended, in which case, they were deemed to have “gone native”. Such a possibility for executive mayors as local political leaders would be addressed by examining the priority attached by executive mayors to building and maintaining political alliances with councillors. The evidence suggested that executive mayors had to devote more resources to maintaining political cohesion in those authorities where the executive mayor could not be assured of the support of at least one third of the councillors to ensure that their budget, and not an amended one, was adopted. Hence in Bedford the then deputy mayor, Cllr Hunt (Labour) emphasised: *'You still have to horse trade. I've been having to horse trade since 1988 and it doesn't change.'* Cllr Hunt also

described how she would use the process to gain concessions from the executive mayor:

'I went and negotiated, I went with a shopping list of things and said if you want your budget to go through, I've got thirteen votes and together with the Better Beds people that made up to the 18 votes needed and I got a replacement gym ... amongst other things, the Faraday Square community centre and some more money for the voluntary sector. ' (interview data)

North Tyneside's Mayor Arkley had to rely on the support of the Liberal Democrats to prevent the Labour Group from dominating the budget. Thus, Arkley's behaviour was similar to those of minority administrations in committee-run councils (Leach and Stewart 1992:28-30) rather than indicating the development of a new form of politics in which the executive mayor was able to distance themselves from the political party on whose platform they were elected.

Several political party executive mayors emphasised that one advantage of being directly elected with a four year term of office was that they were able to adopt an arms length relationship with their party groups. Mayor Thornhill stated how she was no longer having to *'look over her shoulder'* all the time to ensure that she would be re-elected at the next group meeting. Mayor Bye asserted: *'I'm trying not to be party political in the town hall'* and on the advice of the Chief Executive was not even a member of the Conservative group on the council. Therefore, the institution of executive mayor had freed some incumbents from having to devote so many resources to securing political unity in the town hall. Executive mayors are having to devote less effort to maintaining internal political cohesion (Leach and Wilson 2000:51). Instead, executive mayors are engaging more in the governing role suggested by Elcock (2001:106). The time and other resources made available by this role could then be devoted towards other, more strategic goals or roles such as representing the local authority in the wider governance network.

The external facing tasks encompass a range of functions from the ambassadorial to the reticulist, which the executive mayor may be called upon to fill. Several executive mayors stressed that their first activity was to represent the authority with Mayor Bye describing his role as being: *'mayor of Torbay and not mayor of Torbay Council'*, while Mayor Drummond (Hartlepool) commented how voters understood his role primarily through its external representation function saying: *'...the problem is people see me as mayor of the town rather than as mayor of the council...'*. Mayor Drummond's comment is interesting in that it reveals how, having been elected, he was feeling pressure to represent the local authority rather than the people of the borough, hence he used the word 'problem'.

The commitment of executive mayors to external roles was noted by some officers too, for example Dunn, North Tyneside's Borough Solicitor, noted how Mayor Arkley had spent her first term of office being more focused on the people, not the town hall. The evidence of the executive mayor concentrating on outward facing roles is consistent with earlier findings from interviews with mayors undertaken by Copus (2004b:582) and Fenwick *et al* (2006:434). These comments also suggest that in the ambassadorial role there is merging of the functions of leader and representative that an executive mayor is well placed to exploit.

There were also several illustrations of how executive mayors were able to use their roles as reticulists, as members of several organisations within the local governance matrix, to reinforce their agenda setting and task accomplishment roles. Mayor Thornhill illustrated how she had been able to use her position to build alliances:

'...due to my direct intervention we will be getting the new-build hospital in Watford when we probably weren't going to ...because we, in short, the council owned some of the land. I saw the possibilities, pulled all the right people together and said: we know the strategic health authority have said option one or option two, let's put option "two plus" to them and see if they like it and they

did.' (interview data)

Watford's Managing Director, Robertson, echoed this view stating:

'...you know too that people tend not to be clear about what the boundaries of local are, compared to other things, which is why in a way they expect her [Mayor Thornhill] to do certain things with health and so on and at the margins with police and so on.' (interview data)

North Tyneside's Chief Executive, Kerr, described how Mayor Harrison had been able to use his membership of the regional transport executive to support developments in neighbouring councils and so obtain a degree of leverage and reciprocal assistance when bidding for investment in North Tyneside. Nevertheless, even when active in governance networks, executive mayors were acting primarily in the ambassadorial rather than reticulist role since they were remaining too close to the values and goals of their original institution rather than moving to the "border" of their own council's influence and power.

Having such an outward facing role such as networking brought new challenges. Mansfield borough solicitor, John Burton, suggested that the introduction of an executive mayor could have led to tension with the Chief Executive since the authority had: *'...a Chief Executive who very much enjoyed and had developed the outward facing, ambassadorial type role,'* a tendency that had been noted in Norton's (1991:107) study of chief officers. In Mansfield this was resolved by Mayor Egginton making the following changes:

'We, we've got agreed last November to take the Chief Exec and Deputy Chief Exec out of the structure and appoint an MD to work alongside me, and that person started a week last Monday. So we've gone to slightly a different structure, business driven, you know, that's the MD's responsibility to drive performance.' (interview data)

The above quote indicates quite clearly that the role of the Managing Director was to be inward facing. Indeed, one consequence of the new political post has been either

the replacement of the Chief Executive Officer with a Managing Director (Doncaster, Mansfield and Watford) or CEOs redefining their function in a more inward facing capacity (Fenwick *et al* 2006:436). As Smulian (2007) noted there has been a pattern of chief executive officers leaving employment in executive mayoral authorities, which might indicate a conflict at the top of the “apex”, the point of interaction between the administrative and political elements (Self 1977:150, Norton 1991:185-186, Mouritzen and Svava 2002:289). That it was the officer and not the executive mayors who were departing indicates the latter's institutional strength. Alternatively, because the only choice for the executive mayor is to leave office completely, it encourages them to fight whereas an indirectly elected council group leader knows that he or she can return to the back benches with the possibility of a future return. The findings here, again echo earlier research where it was suggested that, even without this formal change of designations, it might be necessary for the Chief Executive to adapt him or herself to behaving like *'the Managing Director to the Mayor'* (Fenwick *et al* 2006:435,436). The above evidence offers some support to a change in local political leadership which existed and can, at least in part, be attributed to the introduction of executive mayors.

In reviewing the government's objective of securing great accountability (DETR 1998:8, DETR 1999:6) it is necessary to consider how this relationship has been addressed from the perspective of the participants. The government's notion of executive mayor as a strong, identifiable local political leader was balanced by the operation of strong mechanisms of accountability (DETR 1999:13). One line of accountability was a direct, linear one with the electorate, which would resonate with the conceptualisation of the executive mayoral function as a representative as well as a leadership one. There was a danger in that firstly, this could reduce the electorate to Schumpeter's (1976:269) minimalist role of exercising no other input than the periodic choice of an *elite* through elections and secondly it sidelines the non-

executive councillors, the backbenchers. As Councillor Headley (Liberal Democrat, Bedford), asserted '*...the accountability to us is window dressing.*'

To explore this further, the concept of accountability was parsed into three distinct areas. First the issue whether the executive mayors had acquired a greater visibility than their indirectly elected predecessors and the possible consequences this might have will be examined. Second, the role of the backbench councillors and in what way executive mayors were, or perhaps ought to have been accountable to them will be reviewed. Third, the approaches to decision-making will be considered. ELGNCE's wider study of English local government after the introduction of the LGA 2000 has suggested that both call-in and overview and scrutiny were providing effective counterweights to the stronger executive, indeed the low level of "call-in" was an indicator of the new system's success (Stoker *et al* 2007:14). As was noted in Hackney, however, party politics can frustrate the operation of call-in and ELGNCE's methodology might not have paid sufficient attention to the local political contexts.

The nature of the respondents' comments indicated that the principle of legitimacy through being elected was a core value shared by officers and members underpinning local government in general and executive mayoralities in particular. Mayor Bye (Torbay) stated:

'Influence is the key, yes, because people want to talk to a directly elected mayor because they accept that you're in position because of the result of an election in which everyone had the opportunity to take part. That certainly gives you a kind of authority, of influence...' (interview data)

The value of electoral legitimacy as a tool of influence was echoed by two law officers, Carol Dunn (North Tyneside) said: '*The mayor has a direct mandate from the public as an elected mayor*' while Kath Nicholson (Lewisham) added:

'Local political leadership...has to involve an elected body, because that's where legitimacy comes from. And to me the only place where there is that

elected and political element is in the local authority, and there isn't another body locally.' (interview data)

A second dimension of this legitimacy was set out by another officer, Sheehan (Lewisham) who noted:

'...the added value of having a directly elected mayor is that the mayor is elected by the full population of Lewisham and therefore we probably have very local representation in the form of ward councillors, and then someone who represents the whole borough.' (interview data)

Hence, legitimacy is related to the number of citizens who have the opportunity to elect the local political leader. A possible weakness would be that this would cast the relationship as being mono-directional in that while executive mayors derive an explicit benefit from voters in terms of legitimacy and mandate, the absence of a means by which voters could hold them to account other than at election time might be a concern.

A second aspect of electoral legitimacy related to concepts of accountability was whether there should be a means of removing the mayor mid term, other than by means of a complaint through the Standards Committee? Mayor Bullock (Lewisham) was a supporter of the process noting:

'When I was involved in working up some of these ideas the main one was through the Commission for Local Democracy. We were very clear that we thought there should be a recall mechanism. And I think it was a mistake on the part of government not to include that. A recall mechanism with a high threshold. You wouldn't want it to be something that could be used frivolously.' (interview data)

The then Cllr Arkley, before she regained the mayoralty in North Tyneside, supported a recall:

'To put in place to actually have that referendum? There needs to have...I would say go with a referendum and a confidence vote, you know, some people don't have confidence, but referendum I suppose is the best, really.' (interview data)

Mayor Thornhill (Watford) was also supportive of the electors having some control over their executive mayor outside elections rejecting a recall being triggered by a no confidence vote saying:

'No, I think it should be the bods outside because as I said within council chambers there's just all sorts of anomalies. It really should be whether people think you're losing the plot big time.' (interview data)

The main argument against this was that the process could be liable to abuse by opposition political parties who would seek to frustrate the incumbent from introducing any policies especially, as North Tyneside's Chief Executive Kerr, noted, if the council had a prevailing culture of oppositional politics. Mayor Bye (Torbay) also stressed this fear of being blocked, and it might be used to render the incumbent powerless since he or she would be facing constant threats of elections adding: *'You need to elect people and give them a chance to deliver over a period of time'*. At the time of being interviewed the Liberal Democrat opposition in Torbay had a majority of seats on the council.⁹⁸

Mayor Harrison, whose Labour Group was also not a majority on North Tyneside when interviewed, was also concerned about the possible abuse of any recall mechanism:

'But political mischief, if you put that in, would allow political mischief, so, I'm probably going to say now, you've got me here for four years, I'm here for four years, but if I work outside what I signed up to, then you can get rid of John.' (interview data)

In Doncaster Mayor Winter, who also faced a council chamber where his political party was not the majority, was another voice against a recall, He said: *'No, I think*

⁹⁸ Nor did Mayor Bye belong to the Conservative Group, but his interview data showed that one of his desires was to see a Conservative majority at the 2007 council elections and his campaign was supported by Conservative Campaign Headquarters in London. (As a member of that political party, the researcher received an invitation to conduct telephone canvassing for mayoral election.)

it's nature of the beast and it's the strength and weakness of the situation that you are elected for a four year programme or more...' Mayor Branston (Bedford) added that recall presented a particular threat to executive mayors who did not belong to the main political parties saying: *'I think that it would make life difficult for independents if the major political parties could gang up on them and get them out mid-term.'* Mayor Drummond (Hartlepool) commented:

'I would say it would only be possible if I or any other mayor did something drastically, wrong or illegal, even...Just because, for example here I've beaten a Labour candidate, the Labour group might think, next year "let's try and get the mayor out" and call for me to resign. It doesn't help anyone does it? And it shouldn't be allowed. But if something was drastically wrong, I think a mayor with integrity would stand down anyway.' (interview data)

Mayor Bullock (Lewisham) suggested there could be various safeguards against such abuse:

'I think a recall would need to be higher than that. I would have had some sort of formula like half the percentage the winning candidate got in the last election, half that, but something that doesn't allow one single political party to go out. Or maybe you'd link it to a vote in council that it would have to be something where members of the Mayor's own party were prepared to vote for it. To make it, you'd have a relatively low petition rate but then you'd require a two thirds vote in council to trigger it.' (interview data)

There was a pattern in these attitudes about a recall ballot. Those executive mayors from political parties – large or small – who faced council chambers in which they might lose a no confidence vote expressed the greatest concern while the independent mayor with no supporting councillors (Drummond) along with the mayors with comfortable majorities (Thornhill, Watford and Bullock, Lewisham), were most accommodating of the idea. Given the hostility within the political parties, it is not surprising that the concept of a recall was not put in the final legislation.

Two legal officers: Brown (Hartlepool) and Helen Sidwell (Newham) echoed the concerns of Cllr Arkley about the use of a recall referendum. Sidwell said

'I think one of the main advantages of it is that you've got one person that is so accountable so obviously accountable over the period, you know, from one election to the next,' (interview data)

Yet, a recall mechanism would appear to redress part of the accountability deficit, the scope of which was demonstrated in chapter five when the electoral system and results were analysed. There it was shown that the introduction of executive mayors alone had neither been accompanied by a marked increase in turnout nor were executive mayors gaining a larger share of support from those electors who voted.

The anonymity of decision makers has been linked with a number of public policy issues ranging from low turnout in elections (DETR 1998:10, Rallings and Thrasher 1997:46), low levels of trust in politicians and even the possibility of corruption (Tavits 2007:221). Having a single named person in charge was expected by the government to help change this. Indeed, Mayor Branston (Bedford) stated that one of the key things about his role was: *'...it's a public face to local politics'*. Mayor Drummond (Hartlepool) agreed with this saying that one of the greatest differences made by being an executive mayor was: *'the public know who is accountable, who is making the decisions, who to blame when something goes wrong.'* Mayor Winter concurred that this was the real change brought about by the executive mayoral system: *'What the people do get is I'm the person in charge. The public know very clearly if anything goes wrong in Doncaster, I'm the person to complain to about it.'* A number of respondents had experience in the pre-executive mayoral local authorities, and were able to add that comparative personal perspective. For example, Bedford's then Deputy Mayor Cllr Hunt (Labour) noted how the executive mayor had made local leadership more visible:

'I think in terms of leading the whole community, a directly elected mayor provides a focus. The name that people know and can associate with and I think that is the advantage of a directly elected mayor. People previously didn't know because we were hung, didn't know who the council leader was...'

(interview data)

A similar view was expressed by North Tyneside's Governance and Decision-Making Manager, Patrick Killgallon, who stressed the executive mayor's visibility to the wider world:

'It's about being a political figurehead, outside of the council's own internal structure. You know, we are used to working with council leaders, I don't think council leaders necessarily have, maybe in the present era, the same level of profile.' (interview data)

Mayor Bullock (Lewisham) was able to compare his public visibility as executive mayor with his previous experience as an indirectly elected leader:

'I mean on a personal level it can be anything but an advantage to be stopped in the street, but, far more people know who I am and what I do than ever knew me when I was leader of the Council.' (interview data)

The success of those executive mayors in second tier councils in being visible local leaders (Bedford, Mansfield and Watford) meant that they were seen as the person responsible for all council services, even those provided by the county council. For example, Mayor Egginton observed:

'...if you, for instance, live in Mansfield, you've got a county council problem...I mean I'm talking with pensioners this afternoon so I know I'm going to get my ear chewed off about things that aren't my responsibility like concessionary fares. I can guarantee that. Now we've just had this thing from, we're only getting half price fares for this, this and this, but, well, it's not my problem, it's not my responsibility.' (interview data)

Mayor Thornhill (Watford) believed that the greater prominence of executive mayors in the public consciousness meant that the government should have ensured that adopting an executive mayorality should have been accompanied by the authority also gaining unitary status i.e. control over education and social services from the county council.

'After three and half years I feel very strongly that the sooner the government stops messing around and get on with unitaries the better. It's an absolute nonsense to my residents that I've got no control over which pavements and

potholes get fixed in town. And they're absolutely shocked by that, you know...There's a lot of complaints to county, I've actually worked very hard on my relationship with the county council in order that I can get things done for people. But there's no substitute for just being able to do it yourself. And it's the expectation of people with the directly elected mayor. They absolutely expect you to be able to have that control.' (interview data)

Sheehan, Lewisham's head of Community Governance, stated that the council's own surveys suggested the Mayor was more readily identified than any of the borough's three Members of Parliament.

"We're fairly rigorous in terms doing citizen surveys and since we've had a directly elected mayor, public recognition unprompted of the current mayor has gone from something like 15/16% to 31%." (interview data)

Fenwick *et al* (2006:49) noted that 57% of the general public could identify their executive mayor by name whereas only 25% could do the same for indirectly elected leaders. Therefore, whatever other political differences they made, executive mayors had succeeded in putting a human face on local government.

The high visibility of the executive mayor meant that they were attracting many of the casework issues that once would have been directed to the ward councillor alone. Some mayors were already receiving 100-200 communications a day, email and letters (Copus 2004a:581). Mayor Bye (Torbay) said:

'I often will sit here, later in the day, and go through 30 or 40 items of correspondence. What does surprise me is how much people will expect a detailed response to their own local issue or their own bee in their bonnet, and personal detail they don't just want me to pass it on to someone else.' (interview data)

In Hartlepool Mayor Drummond commented on the correspondence he received:

'[Letters] From the public? I would say a couple of dozen, which is quite good and I always reply to them personally rather than getting other people to do them.' (interview data)

Watford's Mayor Thornhill also reported a high level of contact from electors: 'I

probably get about 200 emails a week.' Using his previous experience as an indirectly elected council leader, Mayor Winter (Doncaster) reported the following increase in contacts from residents:

'Certainly if you look at queries that come into the office, when I was leader we used to get maybe thirty queries a day, letters, emails, and so forth, I mean it is quite varied isn't it? But we average I think, about a hundred a day of one kind or another.' (interview data)

If backbench councillors were no longer being used by constituents as conduits for complaints, they may not be aware of the administrative short-comings of the executive. Such lack of knowledge could significantly diminish their ability to hold the executive mayor to account. Perhaps the most generous summary of how the system is operating from a councillor's perspective was Fenwick *et al's* (2006:442) comment: *'The exact nature of the local councillor's role within a mayoral system has yet to be fully realized, but certainly it has changed'*. Nevertheless, the introduction of executive mayors has ensured in those local authorities that backbenchers were now formally less influential over policy than they were in the previous committee system and that it was easier for them to identify their limited parameters of operation whereas the committee system may have blurred this distinction and provided the illusion of extended areas of influence. Therefore, the evidence indicates the primacy of the executive, the third facet of accountability over decision-making.

As was asserted by the government, one of the failings of the old committee-based council system was slow and opaque decision making (DETR 1998:18, DETR 1999:4). It was anticipated that the introduction of directly elected mayors would allow for individuals to make decisions thereby allowing them to act decisively, speedily and by being identifiable, accountably (DETR 1998:19). Bullock shared this opinion stating:

'When I set out the day after the election what I wanted to achieve, they knew that three and half years later they'd still be working for the same person,

they'd still be driving in the same direction. I think that, that's the biggest advantage.' (interview data)

Watford's Borough Solicitor, Chen, noted that in her authority the system of having the executive mayor so easily identified as the decision maker, regardless of whether the matter had been put to a cabinet vote, was a change that helped to facilitate greater accountability to the residents. Chen said: *'Even the leader, if the going got tough, would hide behind "oh, well it was a committee decision" whereas Dorothy has nowhere to hide, really.'* As was noted in chapters six and seven in the review of council constitutions and cabinet meetings, a number of executive mayoral authorities still retain the outward appearances of collective decision making. Moreover, the lack of debate observed implies that while the cabinet was the "*decision-taking*" forum, as required by law, it was not necessarily the "*decision-making*" one.

Further responses indicated both an awareness of the problems of accountable decision-making and a desire to find solutions that would deliver the public policy goals of greater transparency as well as enhancing deliberation. North Tyneside's Chief Executive, Kerr, stated that he was trying to use the existence of the executive mayoral system, and his new appointment in 2006, as an opportunity to try and introduce more deliberation and debate into the policy-formation process. His vehicle for doing so was to emulate the Parliamentary model in which new ideas were introduced in a Green Paper, which was debated and then a White Paper, which was voted upon to determine if it became policy. The Green Papers were used to replace draft strategy documents. Similar terminology for strategies was observed in Doncaster via the council's website⁹⁹. These methods appear to be an attempt to ensure greater transparency in the decision making process and may also serve to make it more linear, and less iterative than the previous committee cycle.

⁹⁹ For example:

http://www.doncaster.gov.uk/living_in_doncaster/equalities_and_diversity/race/one_strategic_voice.asp

A second approach, noted by Lewisham's law officer, Nicholson, was the realisation that the cabinet was now acting as a "funnel" for all the decisions within the authority. She sketched this out during the interview and explained:

'The mayor makes the decisions, and the decisions come in from everywhere, there's a massive agenda...so they're all coming from all over the place like this. With the mayor, with his coterie of councillors in the cabinet, who have to know everything...' (interview data)

Such a process could be advantageous in that it could ensure co-ordination between council departments or committees, since the core leadership teams of both politicians and officers were in a position to review everything. Two dangers became apparent, first, Nicholson warned how some councillors still sought to make decisions in full council through the passing of resolutions, a practice she had had to advise them was contrary to the constitution and the law. A second danger was that the cabinet might seek to use one of its informal, private briefing meetings to make decisions which, by law, should be made as part of a formal public process, something of which the law officers were well aware. Some respondents asserted that the decision making process had not been improved by the introduction of the executive mayoral system. Mayor Egginton was particularly critical of the time the process could take, especially allowing for the possibility of review or call-in by a scrutiny committee. Burton, Mansfield senior lawyer, stated:

'And with the possibility of call-in, it takes five days longer than taking a report through cabinet, depending on where you are in the cycle, because in order to placate backbenchers an extra five days' consultation prior to receipt of the report was built into the process.' (interview data)

Another concern from Newham's borough solicitor, Sidwell, was the possibility that the executive mayor's informal assent might be taken as a formal approval for a course of action:

'...if you've got approval to something from the mayor then you can just run with it and sometimes there can be, therefore, less of the regulatory things that

one would ordinarily do, like making sure you had a proper report on it and that it was agreed in place.' (interview data)

Hence, it is necessary to consider decision-making from a different perspective, that is the way executive mayors discharged their “powers”.

The distinction between authority and influence has been outlined in reference to “power over” and “power to” capacities (Stoker *et al* 2002:5, Copus 2004a:577). Elcock (2001:49) cites Neustadt's 1980 study of the US presidency, noting that even in that context the real strength of the incumbent lay in his ability to persuade rather than to command. As was reported by Mayors Bye (Torbay) and Thornhill (Watford), there has been an assumption by residents that executive mayors enjoy far more formal authority than may be the case, especially when dealing with other public authorities. Yet, Leach and Norris (2002:26) suggested that the legislation's checks and balances, as well as the guidance issued, might have served to constrain this formal authority. In addition to this some executive mayors had been denied key external and internal roles. Mayor Bye commented:

'One of the things I will ask for, if there is a Conservative majority group after next May is to be the council representative on the police authority. In fact, I would trade that off with being the council's representative on the regional assembly.' (interview data)

In addition to the political party group's access to formal authority over the administration, it was necessary to explore executive mayors' interactions with the political party groups on the council so as to determine if their direct election had altered that dynamic. Lewisham's Labour Group combined the posts of group leader and executive mayor, even though Labour Party rules suggested they should be held by two separate people. The councillor appointed as Deputy Mayor had held the post of group leader in Lewisham until the decision was taken to merge the role of group leader with the executive mayor. In Bedford, the situation of no overall control and the executive mayor belonging to a different political party may have allowed the

Labour Group in particular to strengthen its hold over its members. Former Cllr Hunt (Bedford), in her role as Labour Group leader, insisted that her cabinet members signed a letter pledging to support group adopted policy *'...to say that Labour group stuff comes first, cabinet comes second and if there is a real conflict we resign the cabinet briefs.'* Leach and Norris (2002:34) indicated that this strengthening of the hold political party groups might exert over councillors, cabinet members and executive mayors was a significant danger of the LGA 2000 reforms. Nevertheless, evidence of this appeared to be limited to Bedford as Cllr Pearson, the Conservative Group leader in Middlesbrough, indicated that she had experienced great difficulty in retaining party group control over the Conservative member of Mayor Mallon's cabinet. Mayor Bye also did not report any difficulties of his Liberal Democrat cabinet member facing mandates from her political party group, which would otherwise threaten the concept of collective responsibility for decision making.

A further illustration of the influential role of the executive mayor could be detected in the relations between the councils and central government. Three local authorities that adopted the directly elected executive mayoral option had been assessed by the CPA process in 2002 as performing badly – Hackney, North Tyneside and Torbay¹⁰⁰ and were, in some case being threatened with government intervention (Wilson and Game 2002:155,157). Adopting an elected mayor gave the local authority an opportunity to address its shortcomings, as Watford's Managing Director, Robertson, said:

'Mayor comes in May 2002, and within three months of her coming in, the Audit Commission had come in and had a look at all this, publish a corporate governance inspection, which says that you're the at lowest in productivity, lowest satisfaction, highest cost district council in the country. And the ODPM is ready to step in and intervene. And the reason they don't is that there's a mayor in place which is what they wanted.' (interview data)

¹⁰⁰<http://news.bbc.co.uk/1/hi/england/2566315.stm>

Mayor Bye (Torbay) noted the government's intention to see the new system succeed when he stated:

'...and the great thing with this system is they want to, the government want to see it work. So, all things being equal, they are prepared to put things in our direction that previously we've had difficulty with.' (interview data)

Within North Tyneside, governance manager Killgallon, noted the executive mayor's influence on strategic plans and the budget, even though these had to be adopted by the full council and the authority. To derive some understanding about whether this “power” had changed since the introduction of executive mayors, respondents were probed about possible changes in the balance of power between the executive mayor, the chief officers and the non-executive councillors.

As with Hackney and Middlesbrough in chapter eight, two visual representations will be used to map any changes in the balance of power in mayoral authorities (Figures 15-18, pp298, 300, 301, 302). Brown, Hartlepool's borough solicitor, first suggested the triangular configuration as an alternative to the straight line continuum that might have been employed to portray the state of affairs in the previous system. The triangle model has been developed through an iterative process of application in subsequent interviews as well as reviewing previously obtained interview data.

For Cllr Attenborough (Bedford), her understanding was that the introduction of the executive mayor would involve a shift in power towards the mayoral locus with the expectation that the officer holder would be proactive, in contrast with the stalling that had occurred while the council was “hung”. She stated that there had been some examples of change in that the executive mayor could summon both officers and councillors and ask them to explain their actions or conduct. In Newham the presence of an overwhelming Labour Party majority on the council enabled Mayor Wales to operate with fewer concerns about his political party group. Indeed, Cllr

Brickell (Newham), a backbencher at the time of interview, stated that the system had enabled the mayor to gain considerable formal and informal power over the entire council organisation, though if the role had gained power, it was at the expense of backbenchers. Cllr Brickell commented on how the executive mayor interacted with the Labour group meeting:

'I think what Sir Robin has at the beginning questioned in his mind is whether he should go or not. And he tends to come for his report which is top of the agenda then leave.' (interview data)

In assigning the location of the balance of power there were some similar patterns. North Tyneside's Borough Solicitor, Dunn, asserted that there was now a strong officer team to match the equally powerful cabinet. There was also some evidence of the paramount importance of the relationship between the chief executive and the executive mayor with Robertson (Managing Director, Watford) stating: *'I'm one of those people who believes that unless the two top people work in concert, you have the basis for a dysfunctional authority.'* He also suggested that there should be a greater willingness to accept that senior officers might move between authorities according to changes in political control. Yet, in Torbay Mayor Bye stated that he had not supported the applicant for chief executive at the interview stage but they had subsequently developed a strong, professional working relationship. Nevertheless, it would appear that by omitting references to backbenchers, the respondents tend to confirm the formal isolation of non-executive members from the locus of decision-making.

Introducing an executive mayor also had an impact on the politicians with whom key officers come into contact. In the previous committee system, council officers were meant to serve the whole council while the new executive arrangements mean that senior officers and some other officers have contact primarily with the executive mayor and cabinet. Backbench councillors may only be encountered when the

officers are being questioned by a scrutiny committee. A challenge for the new executive mayoral model is whether the council officers do start to adopt the rules-in-use of the civil service, which would mark a radical change from the pre-mayoral system.

Conclusion

The chapter has continued applying the case study method to investigate the political difference that may, or may not have come about as a consequence of introducing directly elected mayors. First, each council will be reviewed in terms of the changes in the balance of power between the executive mayor and their cabinet, the chief executive and senior officer team and the backbench councillors. The change will be represented by a triangular model that has similarities to the concept developed by Egner and Heinelt (2008:529). Second, since the data suggests the importance of the mayoral-chief executive relationship in the decision-making process, the mayoral authorities will also be reviewed using Svvara's dichotomy model (1990:20).



Figure 19: Change in the Balance of Power: Bedford

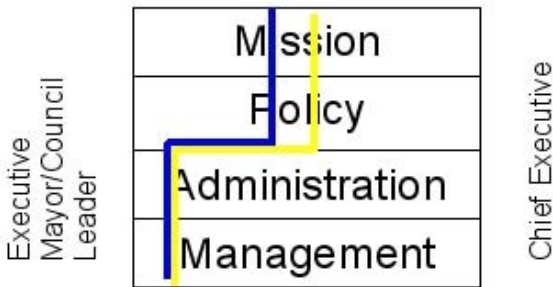


Figure 20: Svvara's dichotomy model applied to Bedford

Blue line=pre-mayoral system
Yellow line = with an executive mayor

The pattern in Bedford (Figures 19 and 20) is influenced by the prevailing conditions of the executive mayor not enjoying a blocking one third of the councillors' votes to protect his budget, as well as the impact of a constitution which ensured that there was no single person identified as the council's principal spokesperson. The references to the role of the chief executive by the respondents, as well as the observation of the cabinet meeting confirm the chief executive's dominant role in administration and management. Where the executive mayoral system did indicate a change in the relationship was that despite being dependent on other political parties for their votes in cabinet and the council, the mayor was able to exert control over key areas of policy by reserving for himself the economic development portfolio. Without having the mayoral system, this would not have been possible.



Figure 21: Change in the Balance of Power: Doncaster



Figure 22: Svava's dichotomy model as applied to Doncaster

Blue line=pre-mayoral system
Yellow line = with an executive mayor

For Doncaster (Figures 21 and 22) the previous system had been characterised by an overly-close relationship between the dominant Labour group and certain officers that had been revealed in the 1990s “Donnygate” scandal. The introduction of the executive mayor marked a shift in power to the executive mayor and away from the

councillors, a move that would not have occurred in a “hung” council. Although in 2006 the managing director, the equivalent of chief executive, was leading an investigation into the executive mayor, it was the managing director who was subsequently required to resign. The executive mayor's power was undermined in two ways. Firstly, the council chamber was dominated by political party and independent councillors opposed to the mayor, which resulted in the vote to abolish the mayoral system. Secondly, there was the executive mayor's expulsion from the Labour Party itself. (*Local Government Chronicle* 28 May 2008). Under a cabinet leader system, or the previous committee system, Mayor Winter would have found himself ousted by a vote of no confidence, or at least compelled to resign. A key difference resulting from the new executive mayoral system is that there was no device to remove Mayor Winter from office and he survived until the next scheduled election in 2009. The two events: expulsion and losing a vote on the existence of the mayoral system, indicate that by 2009 the executive mayoral system in Doncaster is weaker now than previously. In the balance of power with the chief executive (managing director), the new executive mayoral system has tipped the balance back in favour of the councillors. Again, this is a change that has arisen as a consequence of the mayoral system.

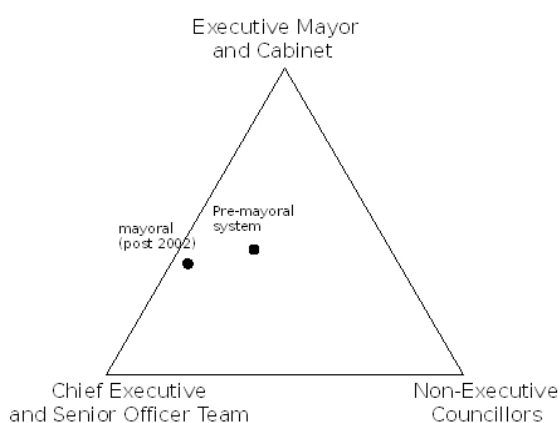


Figure 23: Change in Balance of Power: Hartlepool

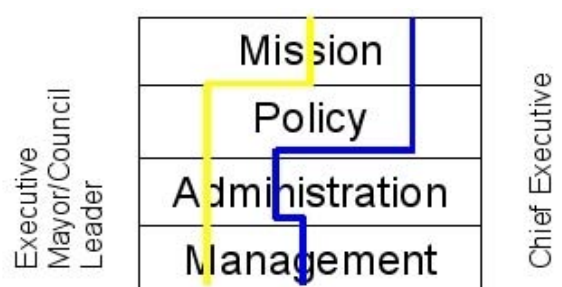


Figure 24: Svara's dichotomy model applied to Hartlepool

Blue line=pre-mayoral system
Yellow line = with an executive mayor

Hartlepool (Figures 23 and 24 p340) was an indication of how power had still moved away from the backbench councillors but it was distinctive in that the balance had shifted towards the chief executive and away from the elected executive mayor. A clear indication of this balance was observed by the researcher at a full council meeting where the chief executive sat closer to the meeting's chair while the executive mayor sat further away. More significantly, the chief executive answered more questions from councillors than the mayor and even had his own report on the agenda¹⁰¹. Hartlepool confirms that the introduction of executive mayors has resulted in political change. It also indicates that there is no general pattern and the individual capacity of both the executive mayor and the chief executive, as well as the political context, contribute towards differences between mayoral authorities.

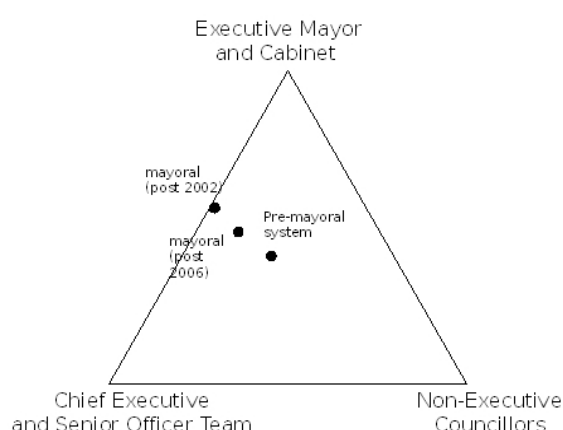


Figure 25: Change in the Balance of Power: Lewisham

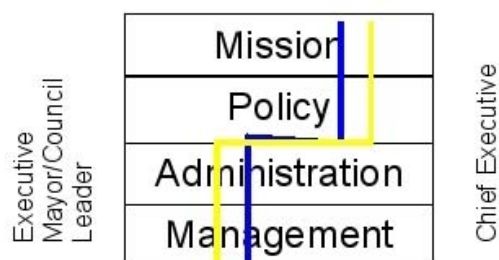


Figure 26: Svava's dichotomy model applied to Lewisham

Blue line=pre-mayoral system
Yellow line = with an executive mayor

Lewisham (figures 25 and 26) is an example of how backbenchers can still exert some influence on an executive mayor through the budget process as in 2007 the mayor was defeated on a budget proposal over a subscription to the New Local

¹⁰¹ Source: researcher's field notes 23 February 2006,
http://www.hartlepool.gov.uk/downloads/23.02.06_-_Council_Agenda.pdf,
http://www.hartlepool.gov.uk/downloads/13.04.06_-_Council_Agenda_1_.pdf

Government Network¹⁰². Faced with such a defeat over such a small amount , Mayor Bullock could have chosen to ignore councillors and re-impose the item, which would have required a two thirds vote of councillors to be over-turned at the second reading of the budget. That the mayor did not choose to exercise his formal powers does provide evidence that non-executive councillors can change policy when they use the tools available within the system. The other aspect where Lewisham is significant is that it is one of only two authorities observed where the executive mayor was the sole decision-maker. The evidence of non-executive councillors exerting influence is shown in Figure 25 (p341) by the power relationship moving away from the primacy of the executive mayor chief officer axis towards the non-executive councillors. In terms of the interaction with the Chief Executive, there was evidence that this was a good working relationship when Mayor Bullock had to leave the meeting as he was deemed to have a prejudicial interest in an item. At this point he delegated authority to the chief executive and not to a deputy mayor or the cabinet, to make the decision.¹⁰³ Nevertheless, the fact that the executive mayor is the sole decision maker does indicate Mayor Bullock's dominance of Lewisham Council in a way that he did not achieve as leader of the council in the previous committee system.

102Researcher's phone call to Lewisham's committee services section.

103Researcher's observations of a cabinet meeting

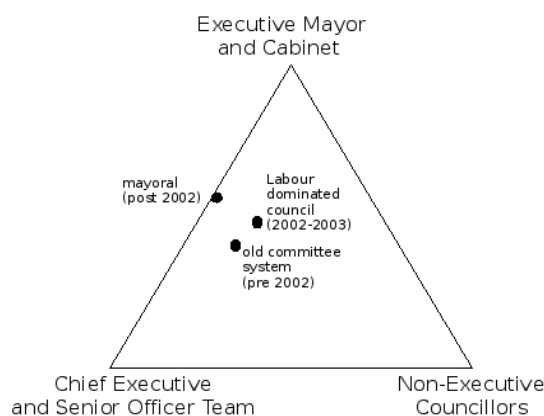


Figure 27: Mansfield Balance of Power model

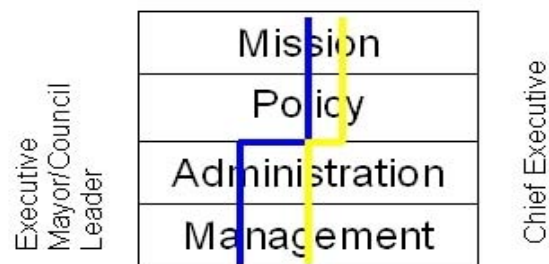


Figure 28: Svava's dichotomy model as applied to Mansfield

Blue line=pre-mayoral system

Yellow line = with an executive mayor

One of the significant findings from Mansfield (Figures 27 and 28, p343) was how the new executive mayor shaped the administration to suit his needs. The key element of this was replacing a chief executive with a managing director and that is reflected in Figure 27 by showing an increase of the mayor's role over management and administration. Mansfield confirms the power of executive mayors over their organisations because the mayor has a clear vision of what he wishes to achieve.



Figure 29: Newham balance of power model



Figure 30: Svava's dichotomy model as applied to Newham

Blue line=pre-mayoral system

Yellow line = with an executive mayor

Newham (figures 29 and 30, p343) is an example of how a dominant local political party, and its leader, was able to manage the transition between systems without losing power. Mayor Wales was able to secure his party's nomination without declaring his preference for a mayoral system during the referendum¹⁰⁴. Through observing the cabinet meeting, it was clear that the Mayor was in complete charge of events. Although he used consultative votes of cabinet members, the constitution stated unequivocally that he was the sole decision-maker. Moreover, just as with Mayor Bullock, when there was an item on which the mayor was deemed to have a prejudicial interest, he also handed the chair to the chief executive and not to other politicians. As a consequence of this, Newham has illustrated the strengthening of power in a small ruling oligarchy based on the executive mayor. The departure of a chief executive (Smulian 2007) indicates, as with Hackney, that the locus of political power within these councils has moved towards the executive mayor.



Figure 31: North Tyneside Balance of Power



Figure 32: Svava's dichotomy model as applied to North Tyneside

Blue line=pre-mayoral system
Yellow line = with an executive mayor

North Tyneside (Figures 31 and 32) is one of the most interesting mayoral authorities,

¹⁰⁴Leitch's article (2000:125-129) makes no mention of Wales, then leader of Newham, being an active member of the campaign team.

primarily because it has had experience of three executive mayors. As can be seen from Figure 31 (p344), the authority is similar to others in that it has seen a movement in the locus of power away from non-executive councillors and towards the mayoral-chief officer axis. What is significant is that this transition has not been impaired by the changing context of the political party's representation on the council. From having a Labour Group that had a blocking two thirds majority on the council in 2002 when there was a Conservative Mayor, the authority had a Conservative councillor majority with a Labour Party executive mayor from 2008 to 2009 and since June 2009 a Conservative executive mayor as well as a Conservative council. Since the council has recovered from its status as one of the worst councils in England it no longer has to devote so much of its resources to recovery and a more balanced relationship between the executive mayor and the chief executive has been established. It will be interesting to measure whether the Conservative Party's dominance of North Tyneside strengthens the role of the executive mayor.

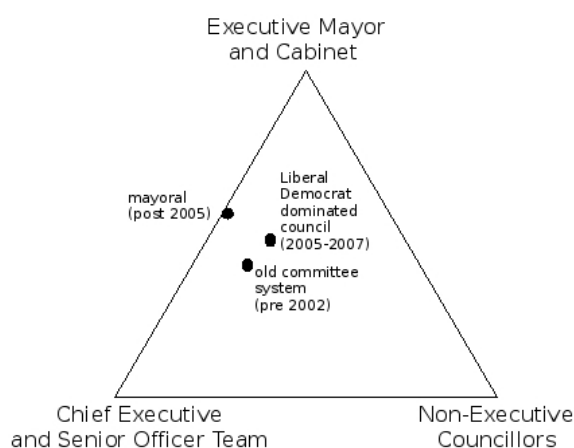


Figure 33: Torbay Balance of Power

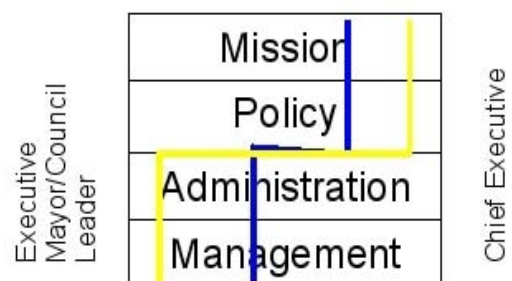


Figure 34: Svara's dichotomy model applied to Torbay

Blue line=pre-mayoral system
Yellow line = with an executive mayor

Torbay (Figures 33 and 34) is another instance of how a mayor without the support of a majority of councillors can, through his use of office, exert great influence and

authority over council policy. In Torbay's case this was only a short-term expedient that was resolved for the mayor in 2007 when his political party gained a majority. In the previous committee system, or in the alternative leader and cabinet system, his position as leader would have been untenable. What is also noteworthy is the relationship between the mayor and the chief executive as the latter clearly has considerable influence, for example by advising that the mayor should not belong to the Conservative group of councillors. Moreover, since Mayor Bye stated he has no interest in the administrative side, the executive mayoral model has empowered the chief executive to move into those fields that mayor has vacated.

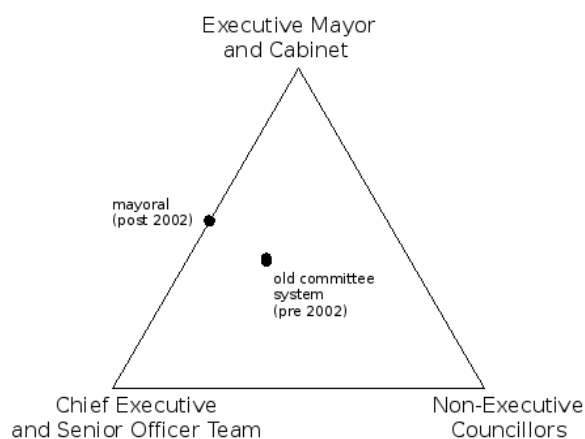


Figure 35: Watford Balance of Power

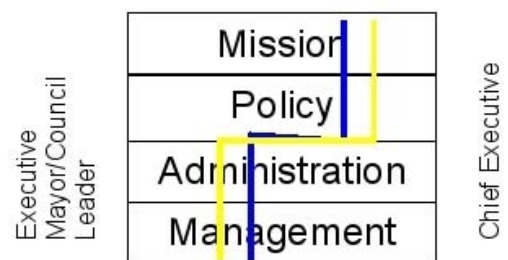


Figure 36: Svara's dichotomy model as applied to Watford

Blue line=pre-mayoral system
Yellow line = with an executive mayor

Watford (Figures 35 and 36) demonstrates a similar pattern to Newham since the executive mayor enjoyed overwhelming support on the council from her own political party. As with other councils, the new system has allowed the locus of power in Watford to move to the executive mayor-chief officer axis at the expense of the backbench councillors. Within the relationship at the top of the apex, there has been some renegotiation of the space between the executive mayor and the managing director, mostly because on taking office the mayor was initially without a full-time

person in this post. Alistair Robinson, the managing director, explained how it was necessary for him to guide the executive mayor into giving up the administrative and management functions that were rightly his.

The councils examined in this study all confirm that executive mayors have been able to make a political difference and that some of these changes are generalisable. In particular the locus of formal power has moved away from backbench councillors towards the executive mayors and chief officers. Nevertheless, there is an interesting position in those councils where executive mayors do not enjoy the support of a majority of councillors. In the previous committee system, or even in leader-cabinet councils, a leader who had lost the support, or at least the acquiescence, of a majority of councillors would no longer be able to govern. Executive mayors are not so dependent on backbench councillors' support even if, as in the case of Hartlepool, it meant having to live with a budget proposed by the councillors. Hence there is an organisational stability from having an executive mayor in that officers and stakeholders are all aware that the incumbent will be there for a full term of office.

The case studies in chapters eight and nine have considered the political differences made by the introduction of executive mayors in a longitudinal dimension, concentrating only on the changes within each authority. In the final chapter, the conclusion, the evidence of change will be summarised both in a longitudinal and a comparative form to assess the degree of change and to determine what generalisable conclusion, if any can be made. These changes will be assessed against the normative model of what variations the government anticipated would occur.

CHAPTER TEN: CONCLUSION

Introduction

The thesis posed the question: what was the political difference made by the introduction of directly elected executive mayors since the Local Government Act 2000 to English local government? The creation of this innovative form of local government was an attempt by central government to address three core failings within councils, namely:

- the lack of leadership,
- the lack of accountability, and
- the lack of legitimacy (Blair 1998,11-12, DETR 1998g:9-11).

These weaknesses had also been used as a starting point for the research the government commissioned into the impact of its local government reforms (Stoker *et al* 2007:9). Therefore, political difference was measured by identifying the degree to which these three deficits were reduced by the introduction of executive mayors.

The thesis employed a qualitative approach with investigation aided by constructing seven hypotheses from the government's White Papers to explore various aspects of executive mayors and assist in providing generalisable conclusions about the political impact of this new approach to English local government. The primary strategy was to use qualitative methods, especially semi-structured interviews to discover how participants perceived the role of executive mayors. The interviews were augmented with documentary sources and some observations of meetings. In order to allow for some of the findings to be compared with wider research into the impact of LGA 2000 Qualitative Comparative Analysis (QCA), a methodology that applies Boolean logic to investigate small-n populations, was employed (Ragin 1987:86-101, 2000:112-114,

Ragin *et al* 2003:323-338, Rihoux 2003:351-365, 2006:679-706, Rihoux *et al* 2003). Where appropriate, namely the analysis of election results, statistical testing of the hypothesis was undertaken.

In the first section, the concluding chapter will review the theoretical basis for understanding the impact of elected mayors, seeking to combine elements of leadership and representation theories. As part of this review, the history behind the introduction of this new form of government will be reviewed. The second section will consider the political changes that have occurred as a result of the mayoral elections, in particular the impact that the Supplementary Vote system may have on electoral outcomes. Having assessed who was elected, section three will show the impact of executive mayors in office by a comparative analysis of routine mayoral conduct and times of crisis. While ELGNCE's analytical framework of studying the council's constitution and the powers allocated to the mayor to appoint the cabinet members, allocate portfolios or make decisions was used as a starting point (Stoker *et al* 2007:54), this was augmented by examining the presence or absence of a veto power for the mayor over changes to the constitution. Furthermore, the use of QCA allows more scrutiny on which combinations of powers are present or absent whereas ELGNCE treats all three powers as equal and interchangeable (Stoker *et al* 2007:29). Changes to the Council's score under the Audit Commission's Comprehensive Performance Assessment were used as a proxy to measure the degree of political difference being produced by executive mayors on the theoretical basis that the new system was meant to provide more efficient and effective local government (DETR 1999:6). Section four will extend the investigation of executive mayoral decision-making by reviewing the conduct of cabinet meetings to determine how they were differing from the previous committee-based decision mechanisms of local authorities. Lastly, section five will adopt a more thematic approach to the task of measuring political change by reviewing the cases studies of the mayoral authorities.

Particular attention will be paid to the views of participants themselves about the impact and the degree of change that can be attributed to the introduction of directly elected mayors. First, the theoretical literature will be reviewed.

The theoretical framework to understand English Executive Mayors

Chapter two considered how the concept of executive mayors took several decades to develop into political commitment and legislation. While the idea of centralising more local council decision-making in a small executive committee was asserted by the Maud Committee (Maud 1967:41), by the 1980s the Widdicombe Committee reasserted the role of collective decision-making through the full council rather than endorsing delegation to individual councillors (Widdicombe 1986:77). Although Michael Heseltine raised the possibility of executive mayors in a White Paper (DoE 1991:13), the concept was never legislated. Outside government, however, key advocates such as Gerry Stoker and lobbyists such as Simon Jenkins, along with the Commission for Local Democracy, all served to keep the idea as part of the possible policy options (Stoker and Wolman 1991:19-33, 1992:251-264, CLD 1995:54, Pratchett and Wilson 1996:250). The pattern of executive mayor's development as a policy idea is consistent with Cohen *et al's* (1972:2) model of a garbage can, in which policies and problems are mixed, sometimes with the solutions preceding, chronologically and the difficulties that are meant to be resolved.

The Political Difference Made By Executive Mayoral Elections

One of the key political differences the government expected as a consequence of introducing directly elected mayors was that these politicians should have a greater

electoral legitimacy since they were elected by the whole electorate in a council area and not just by the members of a single political party's group of councillors (DETR 1999:4). In order to deliver this, the government introduced a novel method of elections, supplementary vote (SV), a system that was implemented initially for the election of a strategic mayor in London in May 2000. Since SV was so closely associated with the Labour Party as it had its origins in an internal policy document, the Plant Report (1993), it was necessary to establish whether executive mayors' electoral legitimacy could be called into question because SV produced a partisan bias. Chapter Five adopted the following hypothesis as a means of testing whether this was so:

H1 Supplementary Vote (SV) enabled more Labour Party candidates to win than SMP

H1_{null} SV produced outcomes that are no different to Single Member Plurality.

The results indicate that the electoral system helped make a political difference with four instances out of 27 where Supplementary Vote (SV) produced a different outcome to Single Member Plurality (SMP), although in only one of these did the Labour Party candidate move from second place on counting first preferences to be the overall winner - North Tyneside 2005. Even in this case the impact of SV alone cannot be isolated as the election was combined with a general election on the same day. In two other cases – Mansfield (2002) and Stoke-on-Trent (2002) the Labour Party found itself denied victory when second preference votes rewarded rival candidates. In the fourth case, Doncaster (2009), the Labour Party candidate came third and was eliminated from the final round of allocating second preferences (see Appendix C for the full election results details).

Having found no evidence of partisan bias at this time, the thesis then considered

whether, through the SV system, executive mayors were able to augment their legitimacy by obtaining greater support, as defined by the following hypothesis:

H2 Executive mayors will receive proportionately more votes than councillors from electors at the polls and so increase their legitimacy.

H2_{null} Executive mayors will receive the same, or proportionately fewer votes than councillors from electors and so have no more, or less, legitimacy than councillors.

Given that all mayoral authorities have continued to have elections for councillors, local election data was obtained to compare against mayoral election results. To allow comparison given the different sizes of wards, percentages were employed and in order to adjust for differences in election timing the share of the registered electors who voted was also taken into account. Appendix D details the variations between the elections that could also have had an impact on turnout and share of the vote. An important question to consider is: was the mayoral election held on the same day as a general election, as council elections by thirds, or with all out council elections? There was sufficient data from the council elections to permit statistical testing although it must be accepted that having fewer than thirty mayoral results impacts on the confidence that can be placed on any findings. Nevertheless, the data in Table 8 (p156) revealed a statistically significant difference between the share of the vote received by executive mayors (16.08% of the registered electorate, 46.48% of those who voted) and the higher share received by councillors in the same authorities (17.19% and 49.91% respectively). While the finding is disappointing from the perspective of those who supported the introduction of mayors, the main political change is that the entire electorate within the local authority had an opportunity to vote for the mayor, even if they chose not to do so and there has been a theoretical justification for the right to abstain (Morris Jones 1954:36).

A further problem of the SV system was that in over three fifths of cases where the outcome was decided by using the second preference votes there were more electors who had not cast a valid second preference vote than the winner's eventual majority. There was a sufficient number of these unused, or unusable votes, termed wasted votes, for the electoral system alone to have changed the outcome. From the government's policy perspective, however, this demonstrates a failure to achieve a political difference. Instead of empowering executive mayors as directly elected local political leaders, some doubt may exist about their legitimacy since the SV system is not, in practice, behaving as a majoritarian one.

To explore the turnout figures and the shares of the vote mayoral candidates received, returns of election expenses were examined in chapter five to determine how mayoral candidates were approaching the task of getting elected. There has been extensive use of such analysis in explaining variations in general election turnouts (Pattie *et al* 1995:981, Johnston and Pattie 1997:171, Denver and Hands 1997b:255, Fisher *et al* 2006:31-32), but applications of such techniques to local elections since pioneering work in the UK in the 1970s by Bochel and Denver (1971, 1972) and Pimlott (1972), as well as US study by Kramer (1970) have been lacking¹⁰⁵. The election returns revealed extensive use of telephone canvassing in Torbay, which was also a marginal parliamentary seat. The data also illustrated that the Labour Party was relying more on indirect communication methods such as direct mail or paid delivery to compensate for a lack of local activists. More elections, especially mayoral ones, will yield more data, therefore, the conduct of the elections themselves remains an area that merits further investigation. What the returns did not reveal was

105 There have been studies in the US on the mobilising effects of telephone calls, direct mail and canvassing, but these have mostly been conducted on a non-partisan basis, see Gerber and Green 2000a, 2000b, 2005, Gerber Green and Green 2003, Green, Gerber and Nickerson, Imai 2005. This methodology was employed by Brannan and John 2005 in the UK in the 2005 General election

the widespread use either of the internet or face to face canvassing, however, the latter may not always show up as it is a low cost activity.

From the above it can be concluded that the electoral system itself had undermined executive mayor's electoral legitimacy and thus impeded one main political difference that might have occurred. Nevertheless, the elections have changed the local government political map as was reflected in Table 2 (p15). In 2002, before all but one of the first executive mayoral elections, eight councils had either a Labour Party majority or the Labour Party was the largest group. Yet, in those elections only four Labour candidates were successfully elected as executive mayors. In the 2005 mayoral elections, which were held on the same day as the general election, the Labour Party gained both Stoke-on-Trent and North Tyneside, to make a total of six. In 2009 Stoke-on-Trent's unique mayor-council manager system was abolished while the Conservative Linda Arkley re-took North Tyneside and the English Democrat Peter Davies won in Doncaster leaving just three of the eleven councils with Labour mayors and one of those faced a council where the Labour Party no longer had a majority. For all the problems with the electoral system, SV has not prevented voters from making innovative choices about who should be their executive mayor.

One additional dimension related to the electoral process impacts on how executive mayors behave as local political leaders. The question can be asked: did the introduction of executive mayors have an impact in the balance of political power on the council itself as measured by the number of each party's council candidates elected? Theoretically, the ability to secure the election of candidates from the same party is a key role for a local political leader (Elcock 2001:106). As tables 11 and 12 (p174,178), indicate, such a question is important given that a number of mayoral authorities (Mansfield, North Tyneside, Middlesbrough, Doncaster, and Newham) had long histories of domination by the Labour Party, while another, Hackney, had

experienced a sustained period of no overall control from 1996 to 2002 following defections from the ruling Labour Group. Bedford has spent nearly two decades without a single political party enjoying a majority. The phenomenon was investigated through the next hypothesis:

H3 Winning control of the mayoralty by a political party will deliver an improvement in the number of councillors where that party is not also the party in power at Westminster.

H3_{null} Winning the mayoralty has no impact on the number of councillors in that authority area.

The data from the local council elections did not reveal a dominant pattern. There was one case where a political party was able to gain control of the council after winning the mayoralty, that is, Torbay, a council has never seen the majority political party win re-election since 1997. Therefore the real test here will be in 2011 when both the executive mayor and his new, Conservative majority, face re-election. Mansfield witnessed the overturning of a Labour majority on the council in 2003 with the election of independents, most of whom subsequently joined the Mayor Egginton in the Mansfield Independent Forum when it became a registered political party in 2005. North Tyneside offers an interesting picture of the political difference that can arise under the directly elected executive mayoral system as the Conservative Party held the mayoralty from 2002 to 2005, including winning a mayoral by-election in 2003. Yet, at first Mayor Morgan faced a Labour opposition with sufficient votes to overturn the budget. Having lost the mayoral election in 2005, the Conservative Party has continued to gain council seats so that by 2008 it had become the majority party in the council with Cllr Arkley regaining the mayoralty in 2009. In Lewisham and Doncaster sitting mayors were re-elected in 2005, but in both cases their political parties lost their majority on the council. The latter case is the most complicated

because in May 2008 the executive mayor himself ceased to be a member of the Labour Party having failed to be re-selected to fight a third term and subsequently did not seek re-election. Doncaster's new Labour Party candidate was also unsuccessful in June 2009. While there may be some element of electors punishing councillors for belonging to the government's political party, the results in Hackney and Newham in 2006 challenge this as in both cases that year, the Labour Party retained the mayoralty and Labour councillors retained the overwhelming majority of seats on the council (Table 12, p178).

The data confirm the pattern noted by Miller (1988:171) and Rallings and Thrasher (1997:153-154) that electors are able to distinguish between different types of elections, even when several are held on the same day, and to cast their votes for different political parties or independents as they choose. Hartlepool's result in 2005 is a good illustration of this as the electors returned an independent executive mayor and a Labour MP even though polling for both had been on the same day. It is noteworthy that for the Parliamentary seat the first four places were taken by national political party candidates with the sole independent coming second to last¹⁰⁶. Mayor Drummond benefited then as the anti-political party candidate since in 2009 when the mayoral election took place away from a general election he was re-elected with a much reduced majority. Therefore, while the introduction of executive mayors has made some electoral impact in that voters can distinguish the executive mayor and councillors, it is necessary to consider how mayors have acted once elected in order to obtain more significant evidence of them having made a political difference.

Executive Mayors as Leaders or Managers

One of the core areas where executive mayors were expected to make a difference

¹⁰⁶ <http://news.bbc.co.uk/1/shared/vote2005/html/304.stm>

was in the manner they executed their day to day duties. In particular this was expected to be more efficient, more transparent, and more accountable than the previous committee system (DETR 1999:6). Such a change can be measured against all English councils owing to the Comprehensive Performance Assessments undertaken by the Audit Commission (2000a). The thesis adopted as a starting point the possession or absence of three “powers” used for the government commissioned wider statistical analysis (Stoker et al 2002, 2007, *passim*) namely:

- The leader's ability to make decisions alone,
- To choose cabinet members, and
- To allocate portfolios.

The presence of these were tested against the dependent variable of the CPA scores. While there may be concerns about the validity of the CPA process as well as the want of a strong theoretical base for why the three powers are interchangeable, the scope of the research provided a useful starting point for comparison with this detailed investigation into executive mayors (Gains *et al* 2005:36, Stoker *et al* 2007:15). Since the thesis was examining the political differences that have arisen from the introduction of directly elected mayors, the following hypothesis was employed to provide a basis for analysis:

H4 Executive mayors with the two or more of the three powers (solo decision making, choosing cabinet members and allocating portfolios) will be shown by the Comprehensive Performance Assessment to be “improving well”.

H4_{null} Executive mayors with only one power will not be shown by the Comprehensive Performance Assessment as “improving well.”

The three powers focus on the ability of the executive mayor to assert his or her authority over the council in formal decision-making and policy formation, which may have been more relevant after the first round of mayoral elections. By 2003 five of

the first eleven mayoral elections (including for this purpose the unique council manager-mayor model in Stoke-on-Trent) had seen independent or candidates from minor political parties elected. Since this ability to control the decision-making process appears to underpin the three powers, a fourth variable was added for the research - the presence of a protection clause in the councils' constitutions giving the executive mayor a veto over any changes to their powers unless they consented. In light of the data from Bedford, Doncaster and Torbay, where executive mayors had lost some powers to the councillors when the constitutions were developed, this choice was appropriate.

Analysing executive mayors presented a methodological challenge as there were just 11 operating with the mayor and cabinet model. While this can be addressed through qualitative approaches, it would also inhibit comparison with the quantitative studies of all English local councils. Using Qualitative Comparative Analysis (QCA) in chapter six overcame this since QCA provides statistically reliable outcomes from small populations. A limitation of the ELGCNE analysis was that it treats all three independent variables – the three powers - as being interchangeable, and its finding in 2002 (Stoker *et al* 2007:15) that possession of two or more powers is correlated with a better CPA score does not address which of the two powers combined together produce that outcome. Understanding this relationship is important as an executive mayor's ability to improve a council's performance, and so produce political difference, is greatly inhibited if he or she cannot appoint their own cabinet, cannot make solo decision or cannot assign portfolios. The more of these freedoms the executive mayor has, the more any change can be attributable to their decisions. Testing the three powers for executive mayors using QCA did not produce a statistically significant difference in the CPA performance. Introducing the fourth power, the veto protection, did reveal a variation as the two councils whose mayors did not possess that protection also produced the least positive CPA score. From this

result it can be inferred that an executive mayor without constitutional security over their own office is less empowered as a leader within the local authority. Therefore, not only has the hypothesis H4 not been supported, but a key weakness in the executive mayoral system has been uncovered, namely the vulnerability of some executive mayors to their councils. Since this analysis did not reveal a significant difference in terms of CPA performance, an examination was made of how councils operate both at a time of extreme pressure as well as the routine decision-making at cabinet meetings to discover evidence of change.

The examination of the role of executive mayors as leaders at a time of crisis was in part a reflection of the theoretical emphasis on the leader as having such a visible ambassadorial role and partly opportunistic given that the UK faced a number of high profile terrorist incidents in 2005 as well as an environmental challenge through severe flooding in 2007. It was also noted that although no causal relationship has been identified, two fifths of the successful referendums to introduce executive mayors were held within two months of the 11 September 2001 terrorist attack on New York¹⁰⁷. The hypothesis used to test this was:

H5 Executive mayors will have the lead role in leading the council's response to an emergency.

H5_{null} The leadership of a mayoral authority during an emergency will be carried out by council officers, not the elected mayor.

As part of the analysis an overview was conducted of two contrasting US experiences in different types of mayoral city using a Most Different Systems Method.¹⁰⁸ New York is an example of a “strong” mayor (Svara 1990:47) where the city's charter, its constitution, specifies that the incumbent is the chief administrative officer and, in

107 <http://www.nlgn.org.uk/public/elected-mayors/mayoral-elections-referenda-results/>

108 Prezworks and Teune 1982:34, Miles and Huberman 1994:28

times of emergency, the key decision-maker. New Orleans, under Mayor Nagin, was an example of a “weak” mayoral model where power is shared between the mayor, the council and the administration, (Svara *ibid*) meaning that in times of crisis the mayor's legal authority was ambiguous, a factor that hindered that city's response to the 2005 Hurricane Katrina (Burns and Thomas 2006).

In the English context, reviews were carried out of the council's relevant emergency plans. What was noted was that with the exception of Torbay, all the plans available confirmed that in the event of a major incident, executive power effectively transfers from the elected accountable executive mayor, to the chief executive officer. Only in Torbay was it specified in the formal plan that the executive mayor would be a member of the chief officer's emergency management team (Torbay 2006:para 3.2). Others, such as Newham, still had not been updated to take account of the council now having an executive and not a ceremonial mayor (Newham 2005b: para 3.11). Formally, therefore, emergency response was clearly located in the sphere of management, not of policy or politically accountable leadership and hence the evidence only justified the null hypothesis. Nevertheless, the official documents alone may not describe the full story and it will be necessary to test when a full scale emergency does occur what role executive mayors do, or do not play in crisis response. Formal rules would not constrain charismatic executive mayors who, through force of personality alone, ensures that they are at the centre of the emergency response. Equally, it is possible to conceive of an executive mayor who would willingly abnegate their leadership role in a crisis to the senior officials. From the perspective of constitutional theory, leaving a degree of ambiguity is possible following Sunstein's (2001:239) concept of incompletely theorised arguments. The ability of executive mayors to respond differently to similar crisis scenarios, irrespective of the formal rules, would also resonate with new institutionalist theories that suggest that actors in an administration will follow those rules that are

appropriate (March and Olsen 1984:741, 1989:22, 1995:7, Peters 2005:30).

In assessing the impact of how executive mayors respond to crises from the perspective of the research question itself, the key finding is that the change has introduced dissonance. One of the goals of having a directly elected mayor was to make local government visible and identifiable (DETR 1999:3), however, at a time of emergency the formal rules have written executive mayors out of the script whereas central government legislation requires that elected politicians take an enhanced and not a diminished, role (CCA 2004). Therefore, the analysis of how executive mayors might respond in a crisis as local leader or representatives uncovers one of the key weakness of the whole reform: the failure by central government to empower adequately the office of mayor itself. In the approach to crises, the government exercises a principal-agent conceptualisation thereby making the role of locally elected politicians less important. Yet, this downgrading of local representatives would apply to indirectly elected council leaders as well as executive mayors and is indicative of a wider responsibility deficit in English local government during an emergency. Since executive mayors have not established themselves either in theory or in practice as principal local political leaders or as locally elected representatives in an emergency, consideration can now return to whether they are making a difference in the day to day decision-making process.

One of the critiques of the pre-LGA 2000 council committee system was that it resulted in an opaque process with real decisions made behind closed doors (DETR 1998:18). Analyses of the previous committee meetings indicated that they were not forums for deliberation with political parties often preferring to retain the real debate for their private meetings (Heclo 1969:187, Green 1981:57, Elcock 1994:103, Copus 2004b:99). To identify whether the introduction of executive mayors and their cabinet had made a political difference the following two hypotheses were developed in

chapter six:

H6: Mayoral cabinets will deliver accountable local government with clearly identifiable individuals making decisions.

H6_{null}: Mayoral cabinets will not deliver accountable local government and will not have clearly identifiable individuals making decisions.

and:

H7: The conduct of the mayoral cabinet will be different from pre-Local Government Act 2000 committee meetings, with lead members taking a prominent role in speaking to reports and issues being decided in a more open fashion.

H7_{null} Mayoral cabinets will not have members presenting reports or deciding issues more openly.

As part of a qualitative research methodology three types of data were employed: observation of cabinet meetings, interview data with participants and reference to the councils' constitutions. What was most troubling about the constitutions was that although they stated that they were reference guides for the citizen about how the council was run, they usually listed all the decision-making methods that could be followed rather than setting out clearly what would happen at the cabinet meeting itself. Hence observation of the cabinet meetings themselves was important to provide valid data.

From the observations three flow-charts were produced to summarise the different approaches (Figures 13 and 14, pp245, 246). The initial part of each agenda item, as mapped by Figure 13, confirmed that the general pattern was that the mayor would act as the meeting's chairman introducing each agenda item, then cabinet members would present the item from their portfolio with officers generally providing technical

answers or supporting information. Here, there was an alteration from the committee system, which had been described as an officer dominated process (Heclo 1969:188, Saunders 1979:218, Green 1981:97, Elcock 1994:107). Indeed, the dominance of committees by officers had already survived the large scale re-organisation of English local government in the 1970s (LGA 1972).

The research identified that there was a variation in Torbay and Lewisham in the final phase, the decision-making itself, from past practices (Figure 14, p246). Here the executive mayor acted as the sole decision-maker, allowing the process to be open, and accountable to any observer. Newham's cabinet obfuscated the process since Mayor Wales as chair called for a vote on each item, although Helen Sidwell, the borough solicitor, confirmed this was consultative rather than binding as the mayor had reserved decision-making powers to himself. Other cabinet meetings observed followed a conventional pattern with the executive mayor acting as chairman and with the meeting itself taking a collective vote. Hackney was an example of this collective decision-making with any difference from the previous system also being diminished slightly by the mayor's use of the term "report noted" after every vote. Therefore, in terms of the political difference made by the introduction of the executive mayor, there was some improvement on the previous committee system with the new model providing a visible, transparent, accountable forum. Cabinet members, or the executive mayor, took the lead in presenting reports and in leading the debate in all cases except Bedford and Doncaster. Only the profusion of persons in Newham's council chamber prevented the observer from identifying easily that it was the elected members leading and conducting the debate and not the officials. Even though Hackney used a collective vote of cabinet, it was clear that those voting were the real decision makers and that they were all elected members. These findings contrasts with accounts of the old committee system where officers would typically take the lead in presenting reports for adoption (Green 1981:99). In addition, whereas under

the previous committee system any report from a committee would become a minute to be voted on again at the Full Council, in terms of decisions made at the Cabinet meeting, a member of the public who attended could be reasonably assured that the final decision had been made. Scrutiny committees had only the power to delay decisions through call-in, not reverse them.

There remains a concern about how much the cabinet meeting is a decision-taking forum rather than a decision-making forum. Evidence of deliberation both in the presence or absence of amendments and the length of time spent on each item were noted. In the previous committee system the dominance of party group executives as the real locus of decision-making had been noted (Elcock 1994:206, 2001:175, Copus 2004b:236). Interview data confirmed that cabinets had a variety of agenda planning or informal meetings, however, all the respondents, especially the senior law officers, were adamant that these meetings were not making formal decisions. Hackney's Mayor Pipe stated how issues that had not been resolved at these agenda planning meetings would be unlikely to reach the cabinet itself, which implies that these meetings are exercising power by controlling those issues that proceed to a formal decision. In Lewisham Kath Nicholson, the Director of Law, was equally adamant that such mayoral briefings were not to be decision making. Nevertheless, the use of such briefing meetings renders the decision-making process opaque, contrary to one of the government's goals, since their existence is unlikely to be known to citizens who attend the cabinet meetings. As was noted in Table 16 (p240), it is not a coincidence, therefore, that Hackney's cabinet meeting also reported the shortest average time of deliberation per agenda item of any council observed – under two minutes – adding further weight to the suspicion that all the cabinet meeting provides is visible decision-taking at the cost of transparent and accountable decision-making. Only in Bedford, where the mayor has a multi-party cabinet was there evidence of real deliberation and indications that reports had not been pre-determined with a

report presented by one cabinet member being challenged by her colleagues. The evidence confirms that the introduction of executive mayors has made a difference to the decision-making process, with the decision-taking element being much clearer to members of the public in most cases since cabinet members or the executive mayor, or both, are clearly visible as those making the choices. Local political context, as identified by Leach *et al* (2005:3) serves to reduce this positive change. The prominent role of officers in Bedford and Doncaster, both councils without a majority political group reflected a lower degree of change than for example, Lewisham where cabinet members acted as advocates for proposed courses of action on which the mayor then pronounced his decision.

Furthermore, there was no evidence of political party groups meeting prior to cabinet meetings as well as reviewing the decisions that were due to be made, as was the case with the previous committee system (Copus 2004b:106). The absence of such meetings ensured that the meeting in public of the cabinet was much more likely to be the decision-making meeting as the previous control exerted by the political party group had been removed, as had been one of the government's intentions. The evidence from the cabinet meetings observed augments what is reported below in the case study analysis, that there has been a strengthening of power along the executive mayor/chief officer axis. The increase in the Executive Mayor and Cabinet's power is at the expense of the non-executive councillors and this alteration is one of the key political differences made by the introduction of executive mayors.

As part of the analysis of decision-making, it was notable that call-in did not feature in the interview data, which prompted a more detailed review of interview texts to see if scrutiny, especially the power of call-in - the ability of non-executive councillors to delay the implementation of a decision and to compel either the executive mayor or cabinet member to reconsider - was referred to. The ELGNCE study had concluded

that call-in was operating well, although it did note that some councils did not witness a single usage in a year (Stoker *et al* 2007:14). That references to call-in were either absent from mayoral authorities, or referred to as ineffectual, a review of the constitutions themselves and the rules relating to call-in was undertaken. There were a number of variations between the authorities, as summarised in Table 18 (p261), in the range of decisions that could be called in, with most mayoral councils having no restrictions and only a few (Doncaster, Hackney, Hartlepool and North Tyneside) restricting call-in to matters where correct procedure was not followed. These restrictions are particularly dis-empowering to non-executive members as it denies them any mechanism to challenge a policy decision with which they disagree.

Different places, different political changes

As a core element of the research, data were sought from interviews with senior post-holders in each executive mayoral authority to obtain their first hand-experiences as participants in the system. Identifying key personnel enabled comparative qualitative material to be obtained. A consequence of this choice is that the thesis obtained information on political change from the perspective of those within the local government structure rather than from the residents' or electors' points of view. The data were corroborated by other findings as well as being useful to elucidate the context within each executive mayoral authority and hence derive an understanding of what would be considered appropriate by each incumbent. The findings are set out primarily in the case study chapters eight and nine. All but one executive mayor was interviewed and in most councils the chief executive or equivalent, and the borough solicitor. The chief executive was identified as a good source of data since the interaction between the most senior officials and the political leadership has been the focus of wide range of investigations (Wilson 1887:210, Norton 1991:37, Mourtizen and Svara 2002:9-15). The researcher's choice to focus on changes in decision-

making within mayoral authorities required conversations with the council's legal officers as they were the officials closely associated with the operation of the constitution and ensuring all decisions were legally valid.

Two key analytical frameworks were employed to develop a comparative insight into each of the executive mayoral authorities. The first was a triangular representation of the change in the balance of power between three poles: the executive mayor and his/her cabinet, the chief executive and his/her senior management team, and the non-executive councillors. Figure 37 (p367) summarises the overall findings. Typically, the political change that results from the introduction of an executive mayor is that the locus of power moves away substantially from the non-executive councillors and towards the executive mayoral pole.

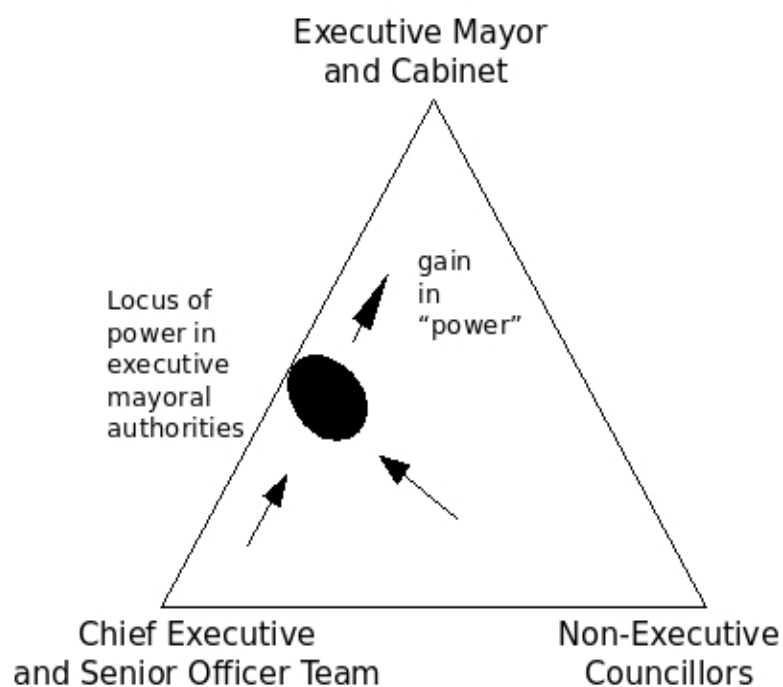


Figure 37: Changes in the balance of power across all mayoral authorities

The trend was not dependent on the political balance on the council itself as Mayor Mallon (Middlesbrough) and Mayor Drummond (Hartlepool) were able to exert greater power, even though as independents neither had a single councillor elected on a manifesto to support them. In Mansfield the situation changed in three phases. First Mayor Egginton was elected as an independent candidate in 2002, second, the Labour Party suffered a second major reverse in the 2003 council elections with a majority of seats being won by independent councillors and third, in 2005, a majority of those independents joined the executive Mayor in a newly registered political party, the Mansfield Independent Forum that retained control of the council in the 2007 elections. Yet, the executive mayors in these authorities were able to get their budgets passed without amendment on most occasions and in the latter the post of chief executive itself was altered to that of a managing director. In Doncaster, Lewisham and Bedford there was evidence of councillors being able to exploit the executive mayor's lack of support from a majority councillors. For Bedford this was manifested most obviously by a belief, even among cabinet members such as Cllr Attenborough (Conservative), that the budget had to be passed rather than stand adopted unless amended as the formal rules stated (SI 2001/3384, Stewart 2003:64). Lewisham's executive mayor was defeated on a budget item in 2007 and chose not to challenge the councillors by taking the budget back to a second full council meeting.

Doncaster reveals one of the weaknesses of the executive mayoral system for councillors who have been unhappy with the executive mayor's policies. For example Cllr Maye the twice defeated mayoral candidate when interviewed in 2006, reacted by voting to abolish the executive mayoral system itself (*Doncaster Free Press* 29-06-2007). Cllr Maye was supported by the leader of the Alliance of Independent Councillors, Cllr Pinkney who said: *'I would like to go back to the committees, but that's not an option, so the leader and cabinet would be it.'* The newly elected English Democrat Party Mayor of Doncaster, Peter Davies, as well as calling for the

abolition of the mayoral system, has pledged to seek the reduction of the number of councillors by two thirds¹⁰⁹, which would have severe implications for manning cabinet let alone the regulatory and scrutiny committees as required under the present legislation.

To provide additional insight within each authority, Table 21 (p370) summarises the four dimensions of Svava's (1990:20) dichotomy model – policy, mission, administration and management – to map the share of power exercised by the executive mayor and the chief executive. The main political difference made by the introduction of executive mayors is that it has resulted in a re-assertion of the Wilson's (1887:210) model that politicians should dominate policy matters while the senior officials are paramount in spheres of administration and management. It also indicates that as full-time politicians, executive mayors were also developing a strong capability to challenge professional officers, contrary to Weber's (1964:337-338) suggestion that the latter would be able to use their greater technical knowledge to outmanoeuvre the elected politicians.

109 *Doncaster Free Press* 18 June 2009 <http://www.doncasterfreepress.co.uk/free/Tory-mayoral-candidate-in-new.5381017.jp>

	Direction of change	
Dimensions of Svava's Dichotomy Model	More for control exerted by executive mayor	More for control exerted by chief executive officer
Mission	Bedford, Lewisham, Mansfield, Newham, North Tyneside, Torbay, Watford, Middlesbrough	Doncaster, Hartlepool
Policy	Bedford, Lewisham, Mansfield, Newham, North Tyneside, Torbay, Watford, Middlesbrough	Doncaster, Hartlepool
Administration	Doncaster, Mansfield, Newham	Bedford, Hartlepool, Lewisham, North Tyneside, Torbay, Watford, Middlesbrough
Management	Doncaster, Mansfield, Newham	Bedford, Hartlepool, Lewisham, North Tyneside, Torbay, Watford, Middlesbrough

Table 21: Summary of changes in the balance between executive mayors and chief officers

Sources: Svava 1990:20, Figures 15 (p298), 16 (p300) 20 (p338), 22 (p339), 24 (p340), 26 (p341), 28 (p343), 30 (p343), 32 (p344), 34 (p345), 36 (p346)

The strength of executive mayors as leaders within their local authorities over the policy making process also demonstrates a change from the operation of the previous committee system in England. Saunders (1979:218) identified the chief officer team as the main policy initiating element while Green (1981:51) noted that it was the ruling executive within the Labour group (in Newcastle) that was the leading policy body. The positive change, therefore, that can be attributed to the executive mayoral system is that a key person driving policy is now the directly elected, clearly identifiable and more accountable executive mayor, as the government had initially intended (DETR 199:3). Hackney is omitted from this table since the evidence, particularly from Mayor Pipe, about the chaos that existed in the pre-mayoral system made it impossible to make any assessment about whether the politicians or officials were exerting control in any of the four dimensions in Table 21 (p370). Since adopting the executive mayoral pattern, there was evidence of clear control in the policy and mission dimensions by the executive mayor.

The dichotomy pattern does require some qualification, which relates to the complex relationship between the chief officer and the executive mayor. Mayors Bye (Torbay) and Mallon (Middlesbrough), voluntarily relinquished an interest in the administrative or managerial aspects of the council with the latter delegating such matters to his Deputy Mayor. There was a slightly different dynamic observed in Hartlepool where the Chief Executive, Paul Walker, had a strong position in relation to the executive mayor since he was delivering the successful services on which the mayor depended. On an anecdotal note, the researcher was told that the executive mayor also benefited from the chief executive driving him to various meetings. Against this, there were the cases where chief officers left the employment of a mayoral authority due to overt or perceived disagreements with the executive mayor (Smulian 2007). Mansfield provided a good example of an executive mayor exerting formal authority over administrative and managerial dimensions by redefining the post of chief executive as a managing director while Watford's managing director, Robinson, had to negotiate with Mayor Thornhill to persuade her to reduce her involvement in managerial and administrative matters, a role she had taken on when the authority was without a chief executive.

Overall, the review of executive mayoral authorities confirms the relocation of formal power away from backbench councillors and towards the executive mayor and the chief officers. That power is shared between two poles does at least reduce some of the fears expressed before the change that too much power would be concentrated in one person's hands (Clarke *et al* 1996:71). The evidence also confirms that executive mayors have to a greater or lesser extent, been able to exert control over the council itself so that where they have agendas they can at least be seen to be delivering on those commitments. Only where mayors enjoyed short terms of office either because the initial term was less than four years or because the incumbent

was elected mid-term in a by-election, was there a tension. Mayor Arkley (North Tyneside) was a double victim in her first term as not only was she elected in a by-election but the first re-election came barely three years after the first mayoral election whereas Mayor Bye's (Torbay) first term would be over five years. Mayor Arkley's second term, which commenced in June 2009, will be just under four years.

Having considered the executive mayors in their individual contexts, it is necessary to undertake a comparative analysis to determine any generalisable patterns of political change. First, the four-fold criteria set out by Leach and Wilson (2000:14-16) can be used as a common framework:

- agenda setting,
- task accomplishment,
- external networking, and
- political cohesion.

From the evidence, only in the latter had there been a diminution of emphasis by executive mayors. Indeed, the lack of dependency on annual re-election by a political party group meant that executive mayors enjoyed a degree of stability in office regardless of other political changes, for example their party performing badly in local elections. The stability of the political leadership may also explain, in part, why the local government officers and stakeholders have consistently expressed greater satisfaction with the LGA 2000 reforms since this enables policy to be developed and implemented over longer time-scales (Gaines *et al* 2008). At the same time, the wider governance role, noted by Elcock (2001:106), has been augmented to take into account the need for those executive mayors elected on a political party label not only to win elections themselves but also to secure election of at least a blocking minority. Since those councillors opposed to the mayor need a two thirds majority to overturn his or her budget or corporate plan, securing at least one third of the chamber who are sympathetic to the mayor provides a block against such challenge.

Executive Mayors: A continuum of change and stability

Figure 6 (p68) offers an interpretation of the government's normative expectations of how the LGA 2000 reforms in general, and the introduction of directly elected executive mayors in particular, were meant to transform local government. The change was represented as a continuum. On the left-hand axis were induced the traditional political goals of:

- Representing the community's desires,
- Accountable to councillors and the electorate,
- Deliver budget and policies,
- Secure best value,
- Represent the council to the community, and
- Greater use of consultation.

At the right-hand end of the continuum are more externally focused, governance roles:

- A visionary for the area,
- Able to make speedy executive decisions,
- Be outward focused,
- Promote partnership working,
- Represent the authority to the world, and
- Secure higher electoral turnout.

Figure 38 (p375) updates the normative model used in chapter three by locating the executive mayors to it to allow for a comparative analysis. Those executive mayors who were most focused on the internal organisational aspects, who intervened most in management or administrative affairs are located towards the top, namely Winter (Doncaster) Egginton (Mansfield) and Pipe (Hackney). At the opposite end, Bye

(Torbay), Mallon (Middlesbrough) and Bullock (Lewisham) all indicated the least concern for the internal organisation of the council. Effectively, the continuum represents a transition from those who are mayors of the administration, to those who are mayors of the locality. The continuum also indicates another key political difference that has arisen from the introduction of executive mayors. It has freed the mayor as local political leader from being over-dependent on the majority political party group as would be the case for a cabinet-leader council. Even in the case of Doncaster, where the mayor has lost the confidence of his own political party to the extent that he is no longer a member, he is still able to continue governing within the confines the budget and corporate plan may impose. While this delays leadership change until an election, it is beneficial to the authority and the locality in that it allows for local government to continue and not become paralysed due to machinations amongst local politicians. As may have been expected from the interview data, Mayor Bullock came closest to meeting the anticipated model, a fact that was recognised by one of his peers, Mayor Pipe. One reassuring finding from this figure is that those mayors who come closest to the normative ideal of faster decision-making were more visible to the electorate, delivering a clear agenda and representing the borough to the world (Figure 12, p97). These include representatives from all three main political parties as well as an independent, which at least confirms that the reform did not have an overt partisan bias in practice.

Source: researcher's observations.

Are Executive Mayors Still Making a Political Difference?

The evidence does not indicate that executive mayors have excited the imagination of either local electors or politicians. In the overwhelming majority of cases, more than 90% of councils, councillors have rejected the option of an executive mayor both at the initial constitution setting following the LGA 2000 and at the five year review. Voters have not been enthusiastic either. Although survey data suggested that up to 75% of electors would vote for an executive mayor in a referendum (DTLR 2001a:5, Stoker 2004:7), when faced with the choice at the ballot box, the electors in two thirds of those referendums voted against that option¹¹⁰ and turnout in almost all was under 40%. Another omission by the Labour government was the failure to root the mayoral system in English civic and political history. As Regan (1980:20-21) noted, calling the elected executive politician for a county the “sheriff” might have engaged the popular imagination.

Even where there have been mayoral elections, executive mayors are not securing a larger share of the vote than councillors in those same authorities (Table 8, p156). An element of blame for this must be placed with the Labour Government for not adopting a true majoritarian system whether Alternative Vote or the European standard, double ballot. As has been noted in the thesis, a majority of executive mayors in England have been elected when there were more wasted second preference votes than their actual majority. Based on representation theories in chapter four, there is a strong case for considering the introduction of a preference voting system of which the Cusa-Borda model in chapter five is a strong contender in that it comes closest to ensuring that the winner would be the Llull-Condorcet winner. Since every vote is counted, unlike SV, a Cusa-Borda count might encourage turnout

¹¹⁰ <http://www.nlgn.org.uk/public/elected-mayors/mayoral-elections-referenda-results/>
accessed 02-08-2008

by providing electors with a more assured stake in the outcome.

Another element was that local authorities were not compelled to move to an executive mayoral system, as occurred in the German *Land* of North Rhine Westphalia (Elcock 2008:795). Given councillors' hostility towards executive mayors (Rao and Young 1999:60, Copus 2006:169), the decision to leave so much choice to them was almost a terminal flaw, especially coupled with the government's failure to use its reserve powers to compel any referendums after the defeat of the mayoral proposal in the one authority area where they did do so, Southwark (Copus 2004b:256). Another criticism is that the government did not provide executive mayors with sufficiently different, or effective, formal powers to make the option more attractive to both politicians and electors.

Underpinning the whole innovation was a lack of clarity about the positive change for local government that executive mayors were meant to deliver. Although the government did try to specify three deficits to be overcome lack of legitimacy, leadership and accountability (Blair 1998,11-12, DETR 1998g:9-11), the overwhelming political motive was to ensure that Labour-run councils did not pose a threat to Labour Party's chances of winning general elections (Wilson and Game 2002:74). Hence, even the extension of powers outlined in the 2008 White Paper makes negligible progress towards making executive mayors demonstrably different from indirectly elected council leaders (DCLG 2008:94). Ultimately, England still has a system of local administration rather than one of local government where Whitehall's inspectors can worry about the internal signs within council offices (Chandler 2007:xi). If the faults in local government were a lack of leadership, legitimacy and accountability, the key fault in central government is a lack of trust.

The research for this thesis has explored the political differences made by the

introduction of executive mayors in England and the findings confirm that the new system has had the most favourable reception by local government officers. A consistent pattern from the interviews with council officers was the stability that having a four year term executive mayor provided for the strategic direction of the whole authority. Mayors have made a distinctive political change in that they have been able to deliver this strategic view even when the council itself was controlled by another party, as was the case in Torbay from 2005 to 2007, or North Tyneside in 2002. The system has also proved resilient in the face of councils where no party has a majority such as Bedford. There has been a change in the focus of some council officers underlying this ability for an executive mayor to govern. While all local government officers are still meant to serve the whole council, there is a separation with those most closely associated with policy formation having more frequent interactions with the executive mayor or cabinet members and only infrequent contact with other councillors (Stewart 2003:88-89). What the LGA 2000 reforms have done, from this evidence, is to create a formal dominant political oligarchy that interacts on a regular, if not daily, basis with a core of council officers and stakeholders. These mayors and cabinets have greater freedom from non-executive, backbench councillors, therefore administrators encounter fewer “veto players” in the political-administrative process. Hence, there is a dissonance established in that the normative model (Figure 6, p68) stresses the importance of executive mayors being outward facing but the people who have benefited most are those within the town hall buildings themselves.

An area where some of the political change brought about by introducing executive mayors has yet to be fully resolved is who, or what, or where mayors represent. The government's normative vision executive implies that mayors represent the whole locality, and the communities within it, but this relationship is affected by the need for mayors to win elections. Yet, the need for executive mayors to be effective governors

since they are held accountable for council services also forces them to be focused on the local authority itself. As Mayor Drummond commented '*...the difficulty is the public see me as more of the mayor of the town rather than as leader of the council, mayor of the council*' while Mayor Bye found it necessary to be adamant that he was mayor of the whole borough, not the local authority. Such an inward focus is not always beneficial for officials, especially chief officers. In Mansfield Mayor Egginton redefined the Chief Executive's post as a managing director (interview data) while in Doncaster the Managing Director left the council's employment after heading up an inquiry into the executive mayor. Hackney, Newham and Middlesbrough also witnessed the departure of the chief executives leading one of the main practitioner journals to comment about the future senior relationships if the pattern continued (Smulian 2007).

Signs of Hope for English Executive Mayors

There are some positive findings of the political differences arising from this new form of local government. Executive mayoral elections are taken seriously by the two main political parties – Conservative and Labour – who have contested every one of them. Where there are marginal parliamentary constituencies within mayoral local authorities, the political parties have been willing to invest resources. For example, reviewing the returns of election expenses revealed that both the Liberal Democrats and the Conservatives provided telephone canvassing from their national headquarters to support their candidates in Torbay's first mayoral election. There was also a very distinctive development in Doncaster in 2005 where the Liberal Democrats not only declined to nominate a candidate themselves but, as was reported in the returns of election expenses, they openly endorsed an independent candidate. Copus (2004b:84) noted that when independents enter the electoral arena they can encounter considerable hostility from the established political parties,

therefore, to gain this overt support does indicate a degree of political change.

The other significant political difference that can be deduced from the elections is that the voters themselves are demonstrating that they understand that the office of executive mayor is distinct from other political posts, even when several are contested on the same day. Reviewing the campaigns in 2005 that combined mayoral polls with the general election, the ability of an independent Mayor not only to retain his post but to increase his majority substantially is evidence of a degree of sophisticated choice by electors that is encouraging. It also implies that in only three and half years, the new executive mayoral system had become embedded in local government.

For all the issues outlined above, perhaps the most significant political change that has resulted from the first mayoral authorities is that the concept is now an accepted part of the political debate with no major political party in 2009 proposing their abolition, at least not at a national level. To adapt Cohen *et al*'s (1972:2) garbage can theory, the English executive mayoral option may be a solution that is still waiting for the appropriate problem, but at least policy makers are aware that it is available. The thesis has shown that directly elected mayors have made positive political differences which can be measured against the core goals of effective, transparent and accountable local government (DETR 1999:6). Voters have been able to use the electoral system to choose independent and minor party candidates as executive mayors whereas securing change of a whole council through having councillors elected would have been far more difficult. Quite literally, the colour of the political map has changed.

Once in office, executive mayors have been able to deliver improvements in the council's performance, as measured by the CPA scores. By having a number of

mayors with no previous experience as councillors (Branston, Davies, Drummond, Egginton and Mallon), this new system of government has also diminished the privileged place of political parties and councillors as local governors. Holding executive political office has been de-mystified a little. Furthermore, executive mayors, including those new to politics, have also demonstrated an ability to ensure a continuity of government even when they face a council chamber dominated by their opponents or where the council is hung. In the case of Doncaster, the system was capable of surviving an executive mayor who had resigned from his political party.

After considering the existing executive mayoral authorities, it is now possible to examine what elements would benefit from future research. The first aspect that could be addressed is to augment the study of how constitutions are operating in executive mayoral authorities as part of a wider comparative analysis of constitutions in the majority of other councils that operate the cabinet-leader system. Such an investigation would also provide for an international comparison with the formal legal constraints both on other executive mayoral systems and other local authorities as well as having the potential for the development of a formal theory of local government constitutions. A key element of this expanded study should be whether the constitution is seen as an accepted political space by most, if not all participants, especially the non-executive councillors, in which each tries to assert dominance or protect themselves. Another aspect that needs further theoretical justification is the validity of the Comprehensive Performance Assessment score, or its successor from 2009, the Comprehensive Area Assessment, as the dependent variable to measure the political difference executive mayors are making on the local authority's performance.

Therefore, the conclusion can be drawn that executive mayors have successes in making a political difference both in the polities where they have been established as

well as in the wider national political landscape. The difference has not been as great as the originators intended and reveals more problems with Whitehall's approach to local government legislation rather than specific weaknesses of executive mayors themselves. That executive mayors are still a viable option at the end of 2009 is testament to the fact that this institutional innovation will persist for some time to come.

Postscript

On 14 August 2009 Frank Branston, Bedford's first executive mayor died¹¹¹. He was two years into his second term and in April 2009 Bedford became a unitary authority, gaining powers of schools and social services from the former county council¹¹². In the subsequent by-election held on 15 October 2009, the first significant factor was the victory of the Liberal Democrat candidate, Dave Hodgson, on the allocation of second preferences¹¹³. His majority over the Conservative candidate was 2,012 votes, but there were 10,709 unallocated second preference votes. Hodgson secured 37.86% of the total votes cast and 11.70% of the registered electorate's support (the full result is included in appendix C). As such, he continued the pattern noted in chapter five of executive mayors not being given an unequivocal majoritarian mandate by the supplementary vote system.

Another significant factor was that the Liberal Democrats now have two executive mayors. The Party may have to reconsider its policy stance and embrace elected mayors in other boroughs or cities where it has a local government presence. The third crucial aspect was that the Better Bedford Independent Party, the party of the deceased Mayor, did not nominate a candidate. Therefore, the pattern of non-major party success in the initial elections as noted by Leach (2006:61) and Copus (2006:31) has not been sustained. A fourth point is that Hodgson's election demonstrates the dominance of established councillors as successful mayoral candidates since he was the leader of the Liberal Democrat group on the Council¹¹⁴. The fact that Bedford's electors were able to secure a political change indicates that

111 <http://news.bbc.co.uk/1/hi/england/beds/bucks/herts/8202286.stm>

112 *The Bedfordshire (Structural Changes) Order (2008)*

113 http://www.bedford.gov.uk/council_and_democracy/elections/mayoral_election_results_2009.aspx additional data on the number of electors and votes cast obtained by telephone from the electoral services office

114 http://news.bbc.co.uk/1/hi/programmes/politics_show/8296791.stm

the office of executive mayor has retained some relevance in English local government.

Appendix A Interview Schedule

Bedford Borough Council

04-10-2005 Mayor Frank Branston
04-10-2005 Cllr Headly, Liberal Democrat Group Leader
04-10-2005 Cllr N Attenborough, Conservative Group Leader
04-10-2005 Cllr Shan Hunt, Labour Group Leader
04-10-2005 Mark Minion, Labour Group Political Assistant

Doncaster

07-06-2006 Mayor Martin Winter
06-06-2006 Cllr Mick Maye, former mayoral candidate
06-06-2006 Cllr Margaret Pinkney, Leader Alliance of Independent Councillors

Hartlepool

22-02-2006 Mayor Stuart Drummond
22-02-2006 Paul Walker, Chief Executive Officer
23-02-2006 Tony Brown, Borough Solicitor
22-02-2006 Cllr Preece, Liberal Democrat Group Leader

LB Hackney

06-12-2006 Mayor Jules Pipe
28-06-2005 Jay Kistasamy, Assistant Director Civic Services
28-06-2005 Cllr Eric Ollerenshaw, Conservative Group Leader

LB Lewisham

12-09-2005 Mayor Steve Bullock
12-07-2005 Kevin Sheehan, Head of Community Governance
28-07-2005 Cllr Matthew Huntbach, ex leader, Liberal Democrat Group
22-06-2005 Louise Stamp, Head of Electoral Services
06-10-2006 Kath Nicholson, Head of Law

Mansfield District Council

11-10-2005 Mayor Frank Egginton
11-10-2005 Cllr Delia Rumley, LD Group Leader
11-10-2005 John Burton, Solicitor to the Council
11-10-2005 Julie Jevons Electoral Services Manager

Middlesbrough

21-02-2006 Mayor Ray Mallon
21-02-2006 Jan Richmond, Chief Executive Officer
20-02-2006 Cllr B Brady, Deputy Mayor
20-02-2006 Cllr David Budd, Labour Group Leader, Executive member for
Regeneration and Culture
20-02-2006 Cllr Hazel Pearson OBE, Conservative Group Leader
20-02-2006 Richard Long, Director of Legal and Democratic Services
17-06-2006 Sandy Mackenzie, Journalist,

LB Newham

25-07-2005 Martin Lewis, Deputy Assistant Chief Executive for Corporate
Strategy
25-08-2005 Helen Sidwell, Head of Legal Services
20-06-2005 Cllr Paul Brickell, ex chair of Overview and Scrutiny Commission

North Tyneside

21-02-2006 Mayor John Harrison
17-05-2006 Chief Executive Office Andrew Kerr
17-05-2006 Cllr Linda Arkley, ex-Mayor
20-02-2006 Carol Dunn, Head of Legal and Democratic Services
20-02-2006 David Patterson, Electoral Services Manager
20-02-2006 Patrick Killgallon, Governance and Decision-Making Manager

Torbay

15-11-2006 Mayor Nick Bye

Watford BC

14-10-2005 Mayor Dorothy Thornhill
14-10-2005 Alistair Robertson, Managing Director
14-10-2005 Carol Chen, Head of Legal and Democratic Services

Appendix B: Mayoral Referenda Results

Council	Date	R	Yes	%	No	%	Turn Out	Type
totals			517006		594008			
Berwick Upon Tweed	07/06/01	No	3617	26.00%	10212	74.00%	64.00%	With GE
Cheltenham	28/06/01	No	8083	33.00%	16602	67.00%	31.00%	All Postal
Gloucester	28/06/01	No	7731	31.00%	16317	69.00%	31.00%	All Postal
Watford	12/07/01	Yes	7636	52.00%	7140	48.00%	24.50%	All Postal
Doncaster	20/09/01	Yes	35453	65.00%	19398	35.00%	25.00%	All Postal
Kirklees	04/10/01	No	10169	27.00%	27977	73.00%	13.00%	Normal
Sunderland	11/10/01	No	9593	43.00%	12209	57.00%	10.00%	Normal
Hartlepool	18/10/01	Yes	10667	51.00%	10294	49.00%	31.00%	All Postal
Lewisham	18/10/01	Yes	16822	51.00%	15914	49.00%	18.00%	All Postal
North Tyneside	18/10/01	Yes	30262	58.00%	22296	42.00%	36.00%	All Postal
Middlesbrough	18/10/01	Yes	29067	84.00%	5422	16.00%	34.00%	All Postal
Sedgefield	18/10/01	No	10628	47.00%	11869	53.00%	33.30%	All Postal
Brighton and Hove	18/10/01	No	22724	38.00%	37214	62.00%	32.00%	All Postal
Redditch	08/11/01	No	7250	44.00%	9198	56.00%	28.30%	All Postal
Durham	20/11/01	No	8327	41.00%	11974	59.00%	28.50%	All Postal
Harrow	07/12/01	No	17502	42.00%	23554	58.00%	26.06%	All Postal
Plymouth	24/01/02	No	29553	41.00%	42811	59.00%	39.78%	All Postal
Harlow	24/01/02	No	5296	25.00%	15490	75.00%	36.38%	All Postal
Newham	31/01/02	Yes	27163	68.20%	12687	31.80%	25.90%	All Postal
Shepway	31/01/02	No	11357	44.00%	14438	56.00%	36.30%	All Postal
Southwark	31/01/02	No	6054	31.40%	13217	68.60%	11.20%	Normal
West Devon	31/01/02	No	3555	22.60%	12190	77.40%	41.80%	All Postal
Bedford	21/02/02	Yes	11316	67.20%	5537	32.80%	15.50%	Normal
Hackney	02/05/02	Yes	24697	58.94%	10547	41.06%	31.85%	All Postal
Mansfield	02/05/02	Yes	8973	54.00%	7350	44.00%	21.04%	Normal
Newcastle-under-Lyme	02/05/02	No	12912	44.00%	16468	56.00%	31.50%	Normal
Oxford	02/05/02	No	14692	44.00%	18686	56.00%	33.80%	Normal
Stoke-on-Trent	02/05/02	Yes	28601	58.00%	20578	42.00%	27.80%	Normal

Council	Date	R	Yes	%	No	%	Turn Out	Type
Corby	03/10/02	No	5351	46.00%	6239	53.64%	30.91%	All Postal postal and ballot
Ealing	12/12/02	No	9454	44.80%	11655	55.20%	9.80%	N/A
Ceredigion	20/05/04	No	5.31	27.00%	14013	73.00%	36.00%	N/A
Torbay	14/07/05	Yes	18074	55.00%	14682	45.00%	32.10%	N/A
Isle of Wight	06/05/05	No	28786	44.00%	37097	56.00%	60.40%	N/A
Fenland	15/07/05	No	5509	24.00%	17296	76.00%	33.60%	N/A
Crewe and Nantwich	04/07/06	No	11808	39.00%	18786	61.00%	35.30%	N/A
Darlington	27/09/07	No	7981	42.00%	11226	58.00%	24.65%	N/A
Bury	03/07/08	No	10338	40.00%	15425	60.00%	18.25%	N/A
Source:	www.nlgn.org.uk/public/elected-mayors/mayoral-elections-referenda							

Appendix C: Election Results

Council	Doncaster
Date of election	02/05/2002
Electorate	216070
1st Preference Votes cast	58487
Turnout	27.07%

Candidate	Party	Votes	share of votes cast	share of registered electors
Martin Winter	Labour	21494	36.75%	9.95%
Andrew Burden	Conservative	9000	15.39%	4.17%
Jessie Credland	Community Group	8469	14.48%	3.92%
Michael Maye	independent	7502	12.83%	3.47%
Graham Newman	Liberal Democrat	5150	8.81%	2.38%
Terry Wilcox	Independent	4036	6.90%	1.87%
Shafiq Khan	Independent	2836	4.85%	1.31%

		share of valid 2nd votes cast	share of registered electors	share of total votes cast
2nd Preference Votes cast		38414		
Turnout		17.78%		
Martin Winter	Labour	25707	66.92%	43.95%
Andrew Burden	Conservative	12707	33.08%	21.73%
majority		13000		
unused/wasted 1st preference votes		20073		
1st preference votes of least popular candidate		2836		

Council	Hartlepool
Date of election	02/05/2002
Electorate	66048
1st Preference Votes cast	19543
Turnout	29.59%

Candidate	Party	Votes	share of votes cast	share of registered electors
Stuart Drummond	Independent	5695	29.14%	8.62%
Leo Gillen	Labour	5438	27.83%	8.23%
Ian Cameron	Independent	5174	26.47%	7.83%
	Liberal			
Arthur Preece	Democrat	1675	8.57%	2.54%
Stephen Close	Conservative	1561	7.99%	2.36%

			share of valid 2nd votes cast	share of registered electors	share of total votes cast
2nd Preference Votes cast		14187			
Turnout		21.48%			
Stuart Drummond	Independent	7395	52.13%	11.20%	37.84%
Leo Gillen	Labour	6792	47.87%	10.28%	34.75%
majority		603			
unused/wasted 1st preference votes		5356			
1st preference votes of least popular candidate		1561			

Council *Lewisham*
Date of election 02/05/2002
Electorate 179763
1st Preference Votes cast 44518
Turnout 24.76%

Candidate	Party	Votes	share of votes cast	share of registered electors
Steve Bullock	Labour	20011	44.95%	11.13%
Derek Stone	Conservative	8004	17.98%	4.45%
	Liberal			
Alexander Freakes	Democrat	7276	16.34%	4.05%
Sinna Mani	Green	5517	12.39%	3.07%
	Local			
	Education			
	Action by			
Marie-Louise Irvine	Parents	3710	8.33%	2.06%

	share of valid 2nd votes cast	share of registered electors	share of total votes cast
2nd Preference Votes cast	34375		
Turnout	19.12%		
Steve Bullock	Labour	24520	71.33%
Derek Stone	Conservative	9855	28.67%
majority		14665	
unused/wasted 1st preference votes		10143	
1st preference votes of least popular candidate		3710	

Council *Middlesbrough*
Date of election 02/05/2002
Electorate 101570
1st Preference Votes cast 41994
Turnout 41.34%

Candidate	Party	Votes	share of votes cast	share of registered electors	share of total votes cast
Ray Mallon	Independent	26362	62.78%	25.95%	62.78%
Sylvia Connolly	Labour	9653	22.99%	9.50%	22.99%
	Liberal				
Joe Michna	Democrats	3820	9.10%	3.76%	
Ronald Darby	Conservative	1510	3.60%	1.49%	
	Socialist				
Jeffrey Fowler	Alliance	352	0.84%	0.35%	
Rod Jones	Independent	297	0.71%	0.29%	

Council *Newham*
Date of election 02/05/2002
Electorate 157505
1st Preference Votes cast 40147
Turnout 25.49%

Candidate	Party	Votes	share of votes cast	share of registered electors	share of total votes cast
Robin Wales	Labour	20384	50.77%	12.94%	50.77%
Tawfique Choudhury	Independent	5907	14.71%	3.75%	14.71%
Graham Postles	Conservative	4635	11.55%	2.94%	
	Christian Peoples				
Alan Craig	Alliance	3649	9.09%	2.32%	
Michael Davidson	BNP	2881	7.18%	1.83%	
Gabrielle Rolfe	Green	2691	6.70%	1.71%	

Council *North Tyneside*
Date of election 02/05/2002
Electorate 143804
1st Preference Votes cast 60865
Turnout 42.32%

Candidate	Party	Votes	share of votes cast	share of registered electors
Chris Morgan	Conservative	21829	42.85%	18.14%
Eddie Darke	Labour	19601	40.30%	17.06%
	Liberal			
Michael Huscroft	Democrat	12323	20.25%	8.57%
Allan Pond	Independent	4993	8.20%	3.47%
	Socialist			
Michael Elliott	Alliance	2119	3.48%	1.47%

		share of valid 2nd votes cast	share of registered electors	share of total votes cast
2nd Preference Votes cast		50614		
Turnout		35.20%		
Chris Morgan	Conservative	26083	51.53%	42.85%
Eddie Darke	Labour	24531	48.47%	40.30%
majority		1552		
unused/wasted 1st preference votes		10251		
1st preference votes of least popular candidate		2119		

Council	Watford
Date of election	02/05/2002
Electorate	61359
1st Preference Votes cast	22170
Turnout	36.13%

Candidate	Party	Votes	share of votes cast	share of registered electors
Dorothy Thornhill	Liberal Democrat	10954	49.41%	17.85%
Vince Muspratt	Labour	4899	22.10%	7.98%
Gary Ling	Conservative	4746	21.41%	7.73%
Steve Rackett	Green Socialist	851	3.84%	1.39%
Paul Woodward	Alliance	390	1.76%	0.64%
Tristram Cooke	Fat Cat Party	330	1.49%	0.54%

		share of valid 2nd votes cast	share of registered electors	share of total votes cast	
2nd Preference Votes cast		18742			
Turnout		30.54%			
	Liberal Democrat	13473	71.89%	21.96%	60.77%
	Labour	5269	28.11%	8.59%	23.77%
majority		8204			
unused/wasted 1st preference votes		3428			
1st preference votes of least popular candidate		330			

Council	Bedford
Date of election	17/10/2002
Electorate	109318
1st Preference Votes cast	27715
Turnout	25.35%

Candidate	Party	Votes	share of votes cast	share of registered electors
	Better Bedford Independent Party			
Frank Branston	Liberal Democrat	9557	34.48%	8.74%
Christine McHugh	Conservative	4711	17.00%	4.31%
Charles Rose	Labour	4661	16.82%	4.26%
Apu Bagchi	Independent	4114	14.84%	3.76%
Ian Clifton	Independent	1893	6.83%	1.73%
Arthur Foster	Green	1826	6.59%	1.67%
Mark Powell	Independent	735	2.65%	0.67%
Gurminder Dosanjh		218	0.79%	0.20%

		share of valid 2nd votes cast	share of registered electors	share of total votes cast
2nd Preference Votes cast		19043		
Turnout		17.42%		
	Better Bedford Independent Party			
Frank Branston	Liberal Democrat	12079	63.43%	11.05%
Christine McHugh	Conservative	6964	36.57%	6.37%
majority		5115		25.13%
unused/wasted 1st preference votes		8672		
1st preference votes of least popular candidate		218		

Council	Hackney
Date of election	17/10/2002
Electorate	130657
1st Preference Votes cast	32926
Turnout	25.20%

Candidate	Party	Votes	share of votes cast	share of registered electors
Jules Pipe	Labour	13813	41.95%	10.57%
Andrew Boff	Conservative	4502	13.67%	5.00%
	Socialist			
Paul Foot	Alliance	4187	12.72%	3.20%
	Liberal			
Ian Sharer	Democrats	4185	12.71%	3.20%
Crispin Truman	Green	3002	9.12%	2.30%
Bruce Spenser	Hackney First	1543	4.69%	1.18%
Terry Edwards	Independent	1253	3.81%	0.96%
Errol Carr	Independent	441	1.34%	0.34%

		share of valid 2nd votes cast	share of registered electors	share of total votes cast
2nd Preference Votes cast		21863		
Turnout		16.73%		
Jules Pipe	Labour	16234	74.25%	12.42%
Andrew Boff	Conservative	5629	25.75%	4.31%
majority		10605		
unused/wasted 1st preference votes		11063		
1st preference votes of least popular candidate		441		

Council	Mansfield
Date of election	17/10/2002
Electorate	72242
1st Preference Votes cast	14043
Turnout	19.44%

Candidate	Party	Votes	share of votes cast	share of registered electors
Lorna Carter	Labour	4773	33.99%	6.61%
Tony Egginton	Independent	4150	29.55%	5.74%
Kathryn Allsop	Conservative	3351	23.86%	4.64%
	Liberal			
Phillip Smith	Democrat	958	6.82%	1.33%
Michael Comerford	Green	811	5.78%	1.12%

			share of valid 2nd votes cast	share of registered electors	share of total votes cast
2nd Preference Votes cast		11314			
Turnout		15.66%			
Tony Egginton	Independent	5951	52.60%	8.24%	42.38%
Lorna Carter	Labour	5363	47.40%	7.42%	38.19%
majority		588			
unused/wasted 1st preference votes		2729			
1st preference votes of least popular candidate		811			

Council	Stoke-on-Trent
Date of election	17/10/2002
Electorate	182967
1st Preference Votes cast	43994
Turnout	24.04%

Candidate	Party	Votes	share of votes cast	share of registered electors
George Stevenson	Labour	9752	22.17%	5.33%
Mike Wolfe	Independent	9356	21.27%	5.11%
Steven Batkin	BNP	8213	18.67%	4.49%
Roger Ibbs	Conservative	4417	10.04%	2.41%
Gary Snow	Independent	3975	9.04%	2.17%
	Liberal			
Fred Morrow	Democrat	2408	5.47%	1.32%
Steve Breeze	Independent	1349	3.07%	0.74%
Patricia Whitehouse	Independent	1280	2.91%	0.70%
Graham Wilkes	Independent	1157	2.63%	0.63%
David Chatton	Independent	926	2.10%	0.51%
Adrian Knapper	Independent	708	1.61%	0.39%
Harry Chesters	Independent	453	1.03%	0.25%

		share of valid 2nd votes cast	share of registered electors	share of total votes cast
2nd Preference Votes cast		25072		
Turnout		13.70%		
Mike Wolfe	Independent	12693	50.63%	28.85%
George Stevenson	Labour	12379	49.37%	28.14%
majority		314		
unused/wasted 1st preference votes		18922		
1st preference votes of least popular candidate		453		

Council	North Tyneside
Date of election	12/06/2003
Electorate	139451
1st Preference Votes cast	42906
Turnout	30.77%

Candidate	Party	Votes	share of votes cast	share of registered electors
Linda Arkley	Conservative	18478	43.07%	13.25%
Gordon Adam	Labour	13070	30.46%	9.37%
	Liberal			
Michael Huscroft	Democrat	8404	19.59%	6.03%
Robert Batten	National Front	2554	5.95%	1.83%
	Socialist			
Louise van der Hoven	Alliance	400	0.93%	0.29%

		share of valid 2nd votes cast	share of registered electors	share of total votes cast
2nd Preference Votes cast		37715		
Turnout		27.05%		
Linda Arkley	Conservative	21288	56.44%	15.27%
Gordon Adam	Labour	16427	43.56%	11.78%
majority		4861		
unused/wasted 1st preference votes		5191		
1st preference votes of least popular candidate		400		

Council	Doncaster
Date of election	05/05/2005
Electorate	216215
1st Preference Votes cast	108946
spoilt	7569
Turnout	50.39%

Candidate	Party	Votes	share of votes cast	share of registered electors
Martin Winter	Labour	40015	36.73%	18.51%
Mick Maye	Independent	27304	25.06%	12.63%
Ray Bartlett	Conservative	12533	11.50%	5.80%
Jessie J Credland	Community Group	10263	4.75%	4.75%
Mick Cooper	Independent	7773	7.13%	3.60%
David Owen	BNP	6128	5.62%	2.83%
Rick Rolt	Green	4930	4.53%	2.28%

		share of valid 2nd votes cast	share of registered electors	share of total votes cast
2nd Preference Votes cast		83050		
Turnout		38.41%		
Martin Winter	Labour	45742	55.08%	21.16%
Mick Maye	Independent	37308	44.92%	17.26%
majority		8434		
unused/wasted 1st preference votes		25896		
1st preference votes of least popular candidate		4930		

Council	Hartlepool
Date of election	05/05/2005
Electorate	68874
1st Preference Votes cast	33795
Turnout	49.07%

Candidate	Party	Votes	share of votes cast	share of registered electors
Stuart Drummond	Independent	14227	42.10%	20.66%
Carl Richardson	Labour	5527	16.35%	8.02%
Ian Cameron	Independent	4272	12.64%	6.20%
Stephen Allison	Local Man, Local Issues	3765	11.14%	5.47%
Stan Kaiser		2701	7.99%	3.92%
John Lauderdale	Independent	1821	5.39%	2.64%
Brenda Pearson	Conservative	1482	4.39%	2.15%

		share of valid 2nd votes cast	share of registered electors	share of total votes cast
2nd Preference Votes cast		23619		
Turnout		34.29%		
Stuart Drummond	Independent	16912	71.60%	50.04%
Carl Richardson	Labour	6707	28.40%	19.85%
majority		10205		
unused/wasted 1st preference votes		10176		
1st preference votes of least popular candidate		1482		

Council	North Tyneside
Date of election	05/05/2005
Electorate	143274
1st Preference Votes cast	84751
Turnout	59.15%

Candidate	Party	Votes	share of votes cast	share of registered electors
Linda Arkley	Conservative	35467	41.85%	24.75%
John Harrison	Labour	34053	40.18%	23.77%
	Liberal			
Joan Harvey	Democrat	12761	15.06%	8.91%
Nigel Batten	National Front	2470	2.91%	1.72%

		Votes	share of valid 2nd votes cast	share of registered electors	share of total votes cast
2nd Preference Votes cast		79918			
Turnout		55.78%			
John Harrison	Labour	40460	50.63%	28.24%	47.74%
Linda Arkley	Conservative	39458	49.37%	27.54%	46.56%
majority		1002			
unused/wasted 1st preference votes		4833			
1st preference votes of least popular candidate		2470			

Council	Stoke-on-Trent
Date of election	05/05/2005
Electorate	181384
1st Preference Votes cast	82950
Turnout	45.73%

Candidate	Party	Votes	share of votes cast	share of registered electors
Mike Meredith	Labour	27253	32.85%	15.03%
Roger Ibbs	Conservative	16211	19.54%	8.94%
Mike Wolfe	Green Shoots	15882	19.15%	8.76%
Steven Batkin	BNP	15776	19.02%	8.70%
Gary Chevin	Independent	4505	5.43%	2.48%
Justin Harvey	Independent	1955	2.36%	1.08%
Gary Falconer	Independent	1368	1.65%	0.75%

		share of valid 2nd votes cast	share of registered electors	share of total votes cast
2nd Preference Votes cast		60091		
Turnout		33.13%		
Mike Meredith	Labour	36961	61.51%	20.38%
Roger Ibbs	Conservative	23130	38.49%	12.75%
majority		13831		
unused/wasted 1st preference votes		22859		
1st preference votes of least popular candidate		1368		

Council	Torbay
Date of election	20/10/2005
Electorate	102506
1st Preference Votes cast	24125
Turnout	23.54%

Candidate	Party	Votes	share of votes cast	share of registered electors
Nick Bye	Conservative	5283	21.90%	5.15%
	Liberal			
Nicholas Pannell	Democrat	3811	15.80%	3.72%
Gordon Oliver	Independent	3516	14.57%	3.43%
Susan Colley	Independent	2871	11.90%	2.80%
Percy Brewis	Independent	2015	8.35%	1.97%
Robert Crawford	Independent	1161	4.81%	1.13%
Marshall Richie	Independent	1152	4.78%	1.12%
Peter Middleton	Independent	1030	4.27%	1.00%
Beverly Brennan	Independent	881	3.65%	0.86%
David Pedrick-Friend	Labour	767	3.18%	0.75%
James O'Dwyer	Independent	647	2.68%	0.63%
Julien Parrott	Independent	526	2.18%	0.51%
Beverley Oxley	Independent	322	1.33%	0.31%
James Grimble	Independent	143	0.59%	0.14%

		share of valid 2nd votes cast	share of registered electors	share of total votes cast
2nd Preference Votes cast		12293		
Turnout		11.99%		
Nick Bye	Conservative	7096	57.72%	6.92%
	Liberal			
Nicholas Pannell	Democrat	5197	42.28%	5.07%
majority		1899		21.54%
unused/wasted 1st preference votes		11832		
1st preference votes of least popular candidate		143		

Council	Hackney
Date of election	04/05/2006
Electorate	129597
1st Preference Votes cast	44452
Turnout	34.30%

Candidate	Party	Votes	share of votes cast	share of registered electors
Jules Pipe	Labour	20830	46.86%	16.07%
Andrew Boff	Conservative	7454	16.77%	5.75%
	Liberal			
Matthew Penhaligon	Democrats	4882	10.98%	3.77%
Mima Bone	Green	4683	10.53%	3.61%
Hettie Peters	Independent	2907	6.54%	2.24%
Dean Ryan	Respect	2800	6.30%	2.16%
Monty Goldman	Communist	896	2.02%	0.69%

		share of valid 2nd votes cast	share of registered electors	share of total votes cast
2nd Preference Votes cast		33018		
Turnout		25.48%		
Jules Pipe	Labour	24233	73.39%	18.70%
Andrew Boff	Conservative	8785	26.61%	6.78%
majority		15448		
unused/wasted 1st preference votes		11434		
1st preference votes of least popular candidate		896		

Council	Lewisham
Date of election	04/05/2006
Electorate	177942
1st Preference Votes cast	58700
Turnout	32.99%

Candidate	Party	Votes	share of votes cast	share of registered electors
Steve Bullock	Labour	22155	37.74%	12.45%
	Liberal			
Christopher Maines	Democrat	12398	21.12%	6.97%
James Cleverly	Conservative	10790	18.38%	6.06%
Michael Keogh	Green	7168	12.21%	4.03%
John Hamilton	Independent	4823	8.22%	2.71%
	Lewisham People's Alliance			
Sinna Mani		1366	2.33%	0.77%

		share of valid 2nd votes cast	share of registered electors	share of total votes cast
2nd Preference Votes cast		44018		
Turnout		24.74%		
Steve Bullock	Labour	25129	57.09%	14.12%
	Liberal			
Christopher Maines	Democrat	18889	42.91%	10.62%
majority		6240		32.18%
unused/wasted 1st preference votes		14682		
1st preference votes of least popular candidate		1366		

Council *Newham*
Date of election 04/05/2006
Electorate 177942
1st Preference Votes cast 59830
Turnout 33.62%

Candidate	Party	Votes	share of votes cast	share of registered electors
Robin Wales	Labour	28665	47.91%	16.11%
Abdurahman Jafar	Respect	12898	21.56%	7.25%
Shafi Choudhury	Conservative	8822	14.75%	4.96%
	Christian Peoples			
Alan Craig	Alliance	6559	10.96%	3.69%
	Liberal			
Anwar Hussain	Democrats	2886	4.82%	1.62%

		share of valid 2nd votes cast	share of registered electors	share of total votes cast
2nd Preference Votes cast		49942		
Turnout		28.07%		
Robin Wales	Labour	34061	68.20%	19.14%
Abdurahman Jafar	Respect	15881	31.80%	8.92%
majority		18180		
unused/wasted 1st preference votes		9888		
1st preference votes of least popular candidate		2886		

Council *Watford*
Date of election 04/05/2006
Electorate 61377
1st Preference Votes cast 23385
Turnout 38.10%

Candidate	Party	Votes	share of votes cast	share of registered electors	share of total votes cast
Dorothy Thornhill	Liberal Democrat	11963	51.16%	19.49%	51.16%
Steve O'Brien	Conservative	4838	20.69%	7.88%	20.69%
Ruth Ellis	Labour	4062	17.37%	6.62%	
Steve Rackett	Green	2522	10.78%	4.11%	

Council	Bedford
Date of election	03/05/2007
Electorate	113939
1st Preference Votes cast	43525
Turnout	38.20%

Candidate	Party	Votes	share of votes cast	share of registered electors
	Better Bedford Independent Party			
Frank Branston		15966	36.68%	14.01%
Nicky Attenborough	Conservative	10710	24.61%	9.40%
	Liberal Democrat			
Christine McHugh		10551	24.24%	9.26%
Randolph Charles	Labour	4757	10.93%	4.18%
Justina McLennan	Independent	1538	3.53%	1.35%

2nd Preference Votes cast		share of votes cast	share of registered electors	share of total votes cast
Turnout		33011		
	Better Bedford Independent Party			
Frank Branston		19698	59.67%	17.29%
Nicky Attenborough	Conservative	13313	40.33%	11.68%
majority		6385		
unused/wasted 1st preference votes		10514		
1st preference votes of least popular candidate		1538		

Council	<i>Mansfield</i>
Date of election	03/05/2007
Electorate	77143
1st Preference Votes cast	26383
Turnout	34.20%

Candidate	Party	Votes	share of votes cast	share of registered electors
	Mansfield Independent			
Tony Eggington	Forum	12051	45.68%	15.62%
Joseph Meale	Labour	8129	10.50%	3.59%
Aaron Beattie	Conservative	2770	10.50%	3.59%
	Liberal			
Philip Burman	Democrat	1944	5.64%	1.93%
Elizabeth Button	Green	1489	5.64%	1.93%

2nd Preference Votes cast		share of votes cast	share of registered electors	share of total votes cast	
Turnout		22530 29.21%			
	Mansfield Independent				
Tony Eggington	Forum	13756	61.06%	17.83%	52.14%
Joseph Meale	Labour	8774	38.94%	11.37%	33.26%
majority		4982			
unused/wasted 1st preference votes		3853			
1st preference votes of least popular candidate		1489			

Council **Bridlington**
Date of election 05/05/2009
Electorate 19842
1st Preference Votes cast 29753
Turnout 29.20%

Candidate	Party	Votes	share of votes cast	share of registered electors	share of total votes cast	
Ray Mallon	Independent	17455	58.67%	17.48%	58.67%	
Dave Hodgson	Democrat	9428	26.83%	8.14%		
Parvez Akhtar	Conservative	7026	9105	23.61%	7.86%	23.61%
Charles Boney	Independent	3539	7631	21.39%	6.53%	
Tommy Smith	Independent	1733	4316	12.22%	3.73%	
James Valentine	Labour	3482	9.91%	3.01%		
Eve Morley-Robinson	Green	1183	3.37%	1.02%		

		share of votes cast	share of registered electors	share of total votes cast	
2nd Preference Votes cast		25098			
Turnout		21.67%			
	Liberal				
Dave Hodgson	Democrat	13555	54.01%	11.70%	38.57%
Parvez Akhtar	Conservative	11543	45.99%	9.96%	32.84%
majority		2012			
unused/wasted 1st preference votes		10047			
1st preference votes of least popular candidate		1183			

Notes

Turnout is calculated on the basis of good votes only; spoilt ballots are excluded
If second preference votes are used, turnout is calculated on the basis of good votes only, i.e. for the first and second placed candidates

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Appendix D: Variations between elections

Mayoral Election variations	Council	Date held	Council Election Variations	Council	Date held (May unless stated otherwise)
Held alone, no special measures	Lewisham Newham Bedford Mansfield Torbay	May 2002 May 2002 October 2002 October 2002 October 2005	Held alone, by thirds, no special measures	Bedford ¹¹⁵ Doncaster Hartlepool North Tyneside Stoke-on-Trent	2003, 2006 2006, 2007, 2008 2003, 2007, 2008 2006, 2007, 2008 2003, 2004, 2006, 2007, 2008
			All out, held alone, no special measures	Middlesbrough Torbay	2003 2007
Held alone, special measures with all postal ballot	Hackney Middlesbrough North Tyneside Stoke-on-Trent	October 2002 October 2002 October 2002 October 2002	Held alone, special measures, e.g. all postal ballot	Bedford Doncaster	2007 2003
All out council elections and special measures	Lewisham Newham	May 2006 May 2006	Elections by thirds and a European election	Bedford Watford Stoke-on-Trent	June 2004 June 2004 June 2004
Held with council election by thirds	Watford Bedford	May 2006 May 2007	Held with a European election and special measures	Doncaster Hartlepool North Tyneside	June 2004 June 2004 June 2004

¹¹⁵As well as variations about when elections were held, proposed local government reorganisation of all the local authorities in Bedfordshire meant that the local elections scheduled for 2008 were cancelled (SI 2008/97)

Mayoral Election variations	Council	Date held	Council Election Variations	Council	Date held (May unless stated otherwise)
			All out election instead of thirds	Doncaster Hartlepool North Tyneside	June 2004 June 2004 June 2004
Held with all-out council elections	Hackney Mansfield Middlesbrough	May 2006 May 2007 May 2007	By-election combined with election by thirds	North Tyneside Watford	2003 2006
Held with General election	Doncaster Hartlepool North Tyneside	May 2005 May 2007	single ward election postponed	Hartlepool	2006
Mayoral By-election	North Tyneside	2003			

Table 22: Administrative variations between elections.

Sources: Copus 2006:32, New Local Government Network www.nlgn.org.uk. Rallings and Thrasher 2002, 2003, 2004, 2005, 2006, 2007, 2008 and <http://www.electoralcommission.gov.uk/>

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